

**EXHIBIT PACKAGE  
TABLE OF CONTENTS**

- EXHIBIT 1:**        **The Hershey Medical Center’s Document Requests dated September 1, 2020**
- EXHIBIT 2:**        **Plaintiff’s Responses to Document Requests dated October 16, 2020**
- EXHIBIT 3:**        **Deposition Transcript of Plaintiff, December 1, 2021**
- EXHIBIT 4:**        **Letter from the Hershey Medical Center to Plaintiff, dated January 5, 2022**
- EXHIBIT 5:**        **Plaintiff’s Response Letter, dated January 6, 2022, and Plaintiff’s Privilege Log**
- EXHIBIT 6:**        **Letter from the Hershey Medical Center to Plaintiff, dated January 24, 2022**
- EXHIBIT 7:**        **Plaintiff’s Response Letter, dated February 18, 2022**

# EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

---

Pablo A. Salcedo,

Plaintiff,

v.

The Milton S. Hershey Medical Center,

Defendant.

---

CIVIL ACTION NO. 2019-cv-02201-CCC

**DEFENDANT’S FIRST REQUEST FOR PRODUCTION  
OF DOCUMENTS TO PLAINTIFF**

Defendant, The Milton S. Hershey Medical Center, (hereinafter referred to as “Defendant”), by and through its attorneys, White and Williams LLP, request that Plaintiff, Pablo Salcedo, produce the following items within thirty (30) days at the office of the undersigned counsel for the Defendant in accordance with the Federal Rules of Civil Procedure. This Request to Produce Documents is continuing and any information secured subsequent to the filing of the Responses, which would have been included in the Responses had it been known or available, is to be supplied by Supplemental Responses.

**A. DEFINITIONS**

1. “Document” or “Documents” means the original and all copies of any writing or recording of any type, including but not limited to any book, pamphlet, periodical, letter, memorandum, telegram, report, record, study, office communication, e-mail, note, working paper, diary, journal, log, schedule, calendar, appointment book, application, tax return, chart, paper, graph, survey, index, photograph, films, videotape, audiotape, disc, data sheet or data processing printout or any other written, typed, printed, recorded, transcribed, electronic or graphic matter, translated if necessary by Plaintiff into reasonably usable form.

2. “Identify,” “set forth,” or “state” when used in reference to a natural person means to specify in the answer his or her:

- a. full name;
- b. present or last known address (including street name and number, city or town, state and zip code) and telephone number; and,
- c. present or last known place of employment and job title.

3. “Identify,” “set forth,” or “state” when used in reference to a company, corporation or other entity other than a natural person, means to specify in the answer its:

- a. full name and type of organization or entity;
- b. address of principal place of business; and,
- c. state of incorporation or organization.

4. “Relating to” or “in reference to” shall mean referring to, concerning, discussing, mentioning, comprising, or consisting of, in whole or in part.

5. “Plaintiff” and “you” shall mean the Plaintiff, Pablo Salcedo.

6. “Defendant” shall mean Defendant, The Milton S. Hershey Medical Center.

7. “Person” means a natural person, firm, association, organization, partnership, business, trust, corporation or any other public or private entity.

8. “Communication” means any contact between two or more persons including, without limitation:

- a. written contact by any means, including letters, memoranda, electronic mail, facsimiles, text messages, telegrams or telex messages;
- b. oral contact by any means, including face-to-face meetings and/or telephone; or,
- c. audio contacts and visual contacts by signal or computer language.

9. “Correspondence” means a communication between persons or entities sent by any means, including electronic means.

10. “Complaint” means the Complaint you filed in the United States District Court for the Middle District of Pennsylvania, at Civil Action No. 19-02201.

## **B. INSTRUCTIONS**

1. Each requested document is to be produced in the original manner in which it is maintained, including the file folder in which it is maintained, if applicable, and not separated from any document to which it is clipped, attached or stapled.

2. A copy of each original document and all nonconforming copies of that document are to be produced.

3. Unless otherwise specified, the documents to be produced are those generated on or since 2011.

4. In the event any responsive information is stored on data processing equipment, a hard copy of the information should be produced.

5. If any document is withheld from production on the ground of privilege, your response must identify the document by date, author, addressee, title, type of document (*i.e.*, letter, memorandum, etc.) and subject matter. Further, you must list all persons who received the document and/or are in possession of the document and must state the precise nature of the privilege relied upon.

6. If you do not possess either the original or a copy of the requested document, state the name, address and telephone number of the present custodian of the original or copy, or the name, address and telephone number of the person whom you believe is presently in possession of same.

7. If you no longer are in possession of or have access to the original or a copy of a requested document, state when the document was most recently in your possession or subject to your access and what disposition was made of the document. If the documents have been destroyed, state when the documents were destroyed, identify the person(s) who directed that the documents be destroyed and the person(s) who destroyed the documents and state the reasons why the documents were destroyed.

**C. DOCUMENTS REQUESTED**

1. Copies of all statements made by any party to this litigation or made by any witness or potential witness which relate to the claims or defenses of the parties in this litigation.
2. Any and all documents referring to or relating in any way to the Complaint.
3. Any and all documents and/or exhibits which you intend to or may utilize at the trial of this matter.
4. Copies of resumes of all experts whom you intend to call at the trial of this matter.
5. Copies of all expert reports, including all documents, articles, correspondence, and other materials relied upon by any expert whom you intend to offer at the trial of this matter, and which documents were relied upon by the expert in rendering an opinion.
6. Any and all personal records including email communications, calendars, diaries, notes, tapes, journals, correspondence, social media posts, or other type of written or recorded document which relate to the allegations made in the Complaint.
7. Any and all documents related to any litigation, court filings, civil or criminal matters, which you have been involved in within the past fifteen (15) years.
8. All documents that relate or refer to any and all complaints, charges, correspondence, statements, or other documents given, shown or submitted by Plaintiff to, or received by Plaintiff from, any state, federal or local authority, entity or agency, including, but not limited to, the Equal Employment Opportunity Commission, the Pennsylvania Human Relations Commission, the Workers' Compensation Board, and Bureau of Unemployment Compensation Benefits and Allowances, which in any way relate to any allegations of the Complaint in this matter.
9. Any and all documents relating to the medical condition(s) that you claim are a disability or serious health condition as alleged in the Complaint.
10. Any and all communications between you and Dr. Nicole Swallow relating in any way to the claims or factual allegations made in the Complaint.
11. Any and all communications between you and Drs. Kogut, Bedi, and Marshall relating in any way to the claims or factual allegations made in the Complaint.
12. Any and all documents relating to Plaintiff's claim that "Defendant was aware of Plaintiff's disabilities" as alleged in Paragraph 36 of the Complaint.
13. Any and all documents relating to Plaintiff's claim that "Shortly after starting his internship in July 2017, Plaintiff requested reasonable accommodations from three Chief

Residents: Dr. James Kogut, Dr. Simrajit Bedi, and Dr. Britt Marshall” as alleged in Paragraph 47 of the Complaint.

14. Any and all documents relating to Plaintiff’s claim that Plaintiff requested a reasonable accommodation as alleged in Paragraphs 48 - 49 of the Complaint.

15. Any and all documents relating to Plaintiff’s allegation that Plaintiff contacted Human Resources as alleged in Paragraph 50 of the Complaint.

16. Any and all documents relating to Plaintiff’s claim that he requested accommodations due to his serious health conditions/disabilities as further alleged in Paragraphs 51-55, 59, 74, 75, and 85 of the Complaint.

17. Any and all documents relating to Plaintiff’s claim that his medical providers requested accommodations for Plaintiff as alleged in Paragraphs 52, 54 and 55 of the Complaint.

18. Any and all documents that Plaintiff submitted to Defendant related to Plaintiff’s alleged requests for accommodations.

19. Any and all documents relating to Plaintiff’s claim that “Dr. Swallow continued to schedule Dr. Salcedo 78 to 80 or more hours per week before and after his requests for accommodation” as alleged in Paragraph 60 of the Complaint.

20. Any and all documents relating to Plaintiff’s claim that Dr. Swallow directed and Plaintiff provided fitness for duty assessments as alleged in Paragraphs 66 – 72 of the Complaint.

21. Any and all documents relating to Plaintiff’s claim that Dr. Swallow issued Plaintiff a remediation plan as alleged in Paragraphs 73-81 of the Complaint.

22. Any and all documents related to communications between Dr. Swallow and Dr. Munoz as alleged in Paragraphs 90-94 of the Complaint.

23. Any and all documents relating to Plaintiff’s claim that “Dr. Salcedo was terminated despite receiving consistent positive reviews from his attending physicians up until April 4, 2018” as alleged in Paragraph 100 of the Complaint.

24. Any and all documents relating to Plaintiff’s claim that he filed an appeal of the decision to terminate him from the program as alleged in Paragraph 101 of the Complaint.

25. Any and all documents relating to Plaintiff’s claim that Dr. Snyder submitted an “outlier evaluation” as alleged in Paragraph 102 of the Complaint.

26. Any and all documents relating to Plaintiff’s claim that “Plaintiff was terminated from the program because his disability, record of disability or perceived disability” as alleged in Paragraph 122 of the Complaint.

27. All documents that relate to, or refer to, Plaintiff's efforts to mitigate damages, including, but not limited to, resumes, job interview letters, job offer letters, online job applications, and printouts from any and all online job search websites.

28. All documents that relate or refer to any and all monies received by Plaintiff, including, but not limited to, pay stubs, W-2 forms and state and federal tax returns (with schedules) for the years 2018 to the present.

29. Any and all documents which you contend are not within the scope of the above Document Requests but which otherwise support your claim for damages.

30. Authorizations for the release of any and all medical records, and the like, from any and all individuals identified by Plaintiff in response to Defendant's First Set of Interrogatories, served contemporaneously with these document requests.

31. Any and all documents which relate to, reflect, refer to or were otherwise relied upon in answering Defendant's First Set of Interrogatories to Plaintiff.

**WHITE AND WILLIAMS LLP**

By: /s/Nancy Conrad  
Nancy Conrad, Esquire (56157)  
3701 Corporate Parkway, Suite 300  
Center Valley, PA 18034  
Phone: (610) 782-4909  
conradn@whiteandwilliams.com  
Attorneys for Defendant

DATED: September 1, 2020



**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

\_\_\_\_\_  
Pablo A. Salcedo,

Plaintiff,

v.

The Milton S. Hershey Medical Center,

Defendant.  
\_\_\_\_\_

CIVIL ACTION NO. 2019-cv-02201-CCC

**CERTIFICATE OF SERVICE**

I, Nancy Conrad, Esquire, do hereby certify that on this 1st day of September, 2020, I caused a true and correct copy of the attached Defendant's First Request for Production of Documents to Plaintiff to be served, via E-Mail upon the following:

Sharon R. Lopez, Esq.  
Andrea C. Farney, Esq.  
Triquetra Law  
34 East Orange Street  
Suite 301  
Lancaster, PA 17602  
*Attorneys for Plaintiff*

**WHITE AND WILLIAMS LLP**

/s/Nancy Conrad

Nancy Conrad  
Attorneys for Defendant

# EXHIBIT 2



disclosure of Plaintiff's (and/or his representative's) mental impressions, conclusions or opinions respecting the value or merit of a claim or defense or respecting strategy or tactics as protected by the Federal Rules of Civil Procedure.

d. Plaintiff objects to Defendants' Requests to the extent they call for the disclosure of information of a confidential, or personal or private nature to Plaintiff.

e. Plaintiff objects to Defendants' Requests to the extent they call for information regarding matters not relevant to the claims or defenses of the parties and not reasonably calculated to lead to the discovery of admissible information.

f. Plaintiff objects to Defendants' Requests to the extent that they are overbroad in scope, unduly and unreasonably burdensome, and/or oppressive.

g. Plaintiff objects to Defendants' Requests to the extent they call for information not known to Plaintiff, nor reasonably ascertainable by Plaintiff because such information is in the hands of, or under the control of, third parties not within Plaintiff's control.

h. Plaintiff objects to Defendants' Requests to the extent they are so vague and ambiguous that they are not subject to reasonable interpretation.

i. Plaintiff objects to Defendants' Requests to the extent they purport to impose additional disclosures beyond those required by the Federal Rules of Civil Procedure.

These general objections apply to each and every separate response to Defendants' Requests. Such objections are incorporated in each answer as if stated verbatim for each individual request.

**DOCUMENT REQUESTS:**

1. Copies of all statements made by any party to this litigation or made by any witness or potential witness which relate to the claims or defenses of the parties in this litigation.

**OBJECTION:**

Plaintiff objects to Defendant's request to the extent the term statement is not defined, it is so vague and ambiguous that they are not subject to reasonable interpretation.

**RESPONSE:**

See Bates Documents:  
Salcedo.000001-000002  
Salcedo.000003-000003  
Salcedo.000004-000004  
Salcedo.000005-000010

---

2. Any and all documents referring to or relating in any way to the Complaint.

**OBJECTION:**

Plaintiff objects to this request to the extent it seeks information not in Plaintiff's custody or control, such as documents already in Defendant's counsel's possession, or documents equally available to Plaintiff and Defendant.

Plaintiff objects to Defendant's request to the extent it calls for information not known to Plaintiff, nor reasonably ascertainable by Plaintiff because such information is in the hands of, or under the control of, third parties not within Plaintiff's control.

Plaintiff objects to Defendant's request to the extent it is overbroad in scope, unduly and unreasonably burdensome, and/or oppressive, especially at this phase of discovery and since Defendant has not responded to Plaintiff's discovery requests.

**RESPONSE:**

See Bates Documents:

Salcedo.000011-000011  
Salcedo.000012-000012  
Salcedo.000013-000014  
Salcedo.000015-000015  
Salcedo.000016-000016  
Salcedo.000017-000017  
Salcedo.000018-000018  
Salcedo.000019-000019  
Salcedo.000020-000020  
Salcedo.000021-000021  
Salcedo.000022-000022  
Salcedo.000023-000023  
Salcedo.000024-000024  
Salcedo.000025-000025

Salcedo.000026-000026  
Salcedo.000028-000031  
Salcedo.000032-000067  
Salcedo.000068-000070  
Salcedo.000071-000353

---

3. Any and all documents and/or exhibits which you intend to or may utilize at the trial of this matter.

**OBJECTION:**

Plaintiff objects to this request to the extent it seeks information not in Plaintiff's custody or control, such as documents already in Defendant's counsel's possession, or documents equally available to Plaintiff and Defendant.

Plaintiff objects to Defendant's request to the extent it calls for information not known to Plaintiff, nor reasonably ascertainable by Plaintiff because such information is in the hands of, or under the control of, third parties not within Plaintiff's control.

Plaintiff objects to Defendant's request to the extent it is overbroad in scope, unduly and unreasonably burdensome, and/or oppressive, especially at this phase of discovery and since Defendant has not responded to Plaintiff's discovery requests.

**RESPONSE:**

See Bates Documents:  
Salcedo.000354-000360  
Salcedo.000361-000363

Salcedo.000364-000365  
Salcedo.000366-000368  
Salcedo.000369-000377  
Salcedo.000378-000382  
Salcedo.000383-000435  
Salcedo.000436-000438  
Salcedo.000439-000441  
Salcedo.000012-000012  
Salcedo.000013-000014  
Salcedo.000442-000444  
Salcedo.000445-000445  
Salcedo.000446-000446  
Salcedo.000447-000453  
Salcedo.000454-000454  
Salcedo.000455-000456  
Salcedo.000457-000457  
Salcedo.000458-000458  
Salcedo.000020-000020  
Salcedo.000459-000459  
Salcedo.000460-000846  
Salcedo.000847-000847  
Salcedo.000848-000848  
Salcedo.000849-000850  
Salcedo.000851-000851  
Salcedo.000852-000860  
Salcedo.000861-000861  
Salcedo.000862-000862  
Salcedo.000863-000863  
Salcedo.000864-000865  
Salcedo.000866-000866  
Salcedo.000867-000882  
Salcedo.000883-000884  
Salcedo.000885-000885  
Salcedo.000886-000888  
Salcedo.000889-000901  
Salcedo.000902-000906  
Salcedo.000907-000908



4. Copies of resumes of all experts whom you intend to call at the trial of this matter.

**OBJECTION:**

Plaintiff objects to Defendant's request to the extent it is so vague and ambiguous that they are not subject to reasonable interpretation, given that discovery is ongoing and responses to Plaintiff's discovery requests have not been disclosed.

Plaintiff objects to Defendant's request to the extent it purports to impose additional disclosures beyond those required by the Federal Rules of Civil Procedure, given that discovery is ongoing and responses to Plaintiff's discovery requests have not been disclosed.

**RESPONSE:**

See Bates Documents:  
Salcedo.000909-000913

---

5. Copies of all expert reports, including all documents, articles, correspondence, and other materials relied upon by any expert whom you intend to offer at the trial of this matter, and which documents were relied upon by the expert in rendering an opinion.

**OBJECTION:**

Plaintiff objects to this request to the extent it seeks information not in Plaintiff's custody or control, such as documents already in Defendants' counsel's possession, or documents equally available to Plaintiff and Defendants.

Plaintiff objects to Defendant's request to the extent it is so vague and ambiguous that they are not subject to reasonable interpretation, given that discovery is ongoing and responses to Plaintiff's discovery requests have not been disclosed.

Plaintiff objects to Defendant's request to the extent it purports to impose additional disclosures beyond those required by the Federal Rules of Civil Procedure, given that discovery is ongoing and responses to Plaintiff's discovery requests have not been disclosed.

Plaintiff objects to Defendant's request to the extent it is overbroad in scope, unduly and unreasonably burdensome, and/or oppressive.

**RESPONSE:**

See Bates Documents:  
Salcedo.000913-000913  
Salcedo.000914-000914  
Salcedo.000915-000916  
Salcedo.000885-000885

6. Any and all personal records including email communications, calendars, diaries, notes, tapes, journals, correspondence, social media posts, or other type of written or recorded document which relate to the allegations made in the Complaint.

**OBJECTION:**

Plaintiff objects to Defendant's request to the extent it calls for information regarding matters not relevant to the claims or defenses of the parties and not reasonably calculated to lead to the discovery of admissible information.

Plaintiff objects to Defendant's request to the extent it is so vague and ambiguous that they are not subject to reasonable interpretation.

**RESPONSE:**

See Bates Documents:

Salcedo.000917-000917

Salcedo.000918-000918

Salcedo.000919-000919

Salcedo.000920-000920

Salcedo.000921-000921

Salcedo.000922-000922

Salcedo.000923-000923

Salcedo.000924-000924

Salcedo.000455-000456

Salcedo.000925-000925

Salcedo.000926-000926

Salcedo.000927-000927

Salcedo.000928-000928

Salcedo.000929-000929

Salcedo.000930-000933

Salcedo.000934-000934

Salcedo.000935-000935  
Salcedo.000936-000936  
Salcedo.000937-000937  
Salcedo.000938-000938  
Salcedo.000939-000939  
Salcedo.000940-000940

---

7. Any and all documents related to any litigation, court filings, civil or criminal matters, which you have been involved in within the past fifteen (15) years.

**OBJECTION:**

Plaintiff objects to this request to the extent it seeks information not in Plaintiff's custody or control, such as documents already in Defendants' counsel's possession.

**RESPONSE:**

There are no documents responsive to this request for documents.

---

8. All documents that relate or refer to any and all complaints, charges, correspondence, statements, or other documents given, shown or submitted by Plaintiff to, or received by Plaintiff from, any state, federal or local authority, entity or agency, including, but not limited to, the Equal Employment Opportunity Commission, the Pennsylvania Human Relations Commission, the Worker's

Compensation Board, and Bureau of Unemployment Compensation Benefits and Allowances, which in any way relate to any allegations of the Complaint in this matter.

**RESPONSE:**

See Bates Documents:  
Salcedo.000071-000353

---

9. Any and all documents relating to the medical conditions that you claim are a disability or serious health conditions as alleged in the Complaint.

**OBJECTION:**

Plaintiff objects to Defendant's request to the extent it calls for information regarding matters not relevant to the claims or defenses of the parties and not reasonably calculated to lead to the discovery of admissible information.

**RESPONSE:**

See Bates Documents:  
Salcedo.000941-000941  
Salcedo.000942-000942  
Salcedo.000943-000943  
Salcedo.000944-000944  
Salcedo.000945-000945  
Salcedo.000946-001033  
Salcedo.001034-001043  
Salcedo.001044-001046

10. Any and all communications between you and Dr. Nicole Swallow relating in any way to the claims or factual allegations made in the Complaint.

**OBJECTION:**

Plaintiff objects to Defendant's request to the extent it is overbroad in scope, unduly and unreasonably burdensome, and/or oppressive.

Plaintiff objects to Defendant's request to the extent it calls for information not known to Plaintiff, nor reasonably ascertainable by Plaintiff because such information is in the hands of, or under the control of, third parties not within Plaintiff's control.

Plaintiff objects to Defendant's request to the extent it is so vague and ambiguous that they are not subject to reasonable interpretation.

**RESPONSE:**

See Bates Documents:  
Salcedo.001047-001047  
Salcedo.000018-000018  
Salcedo.000019-000019  
Salcedo.001048-001048  
Salcedo.001049-001049  
Salcedo.000024-000024  
Salcedo.000025-000025  
Salcedo.000026-000026

11. Any and all communications between you and Drs. Kogut, Bedi, and Marshall relating in any way to the claims or factual allegations made in the Complaint.

**OBJECTION:**

Plaintiff objects to this request to the extent it seeks information not in Plaintiff's custody or control, such as documents already in Defendant's counsel's possession, or documents equally available to Plaintiff and Defendants.

**RESPONSE:**

See Bates Documents:  
Salcedo.000015-000015  
Salcedo.000017-000017

---

12. Any and all documents relating to Plaintiff's claim that "Defendant was aware of Plaintiff's disabilities" as alleged in Paragraph 36 of the Complaint.

**OBJECTION:**

Plaintiff objects to Defendant's request to the extent it is overbroad in scope, unduly and unreasonably burdensome, and/or oppressive.

**RESPONSE:**

See Bates Documents:  
Salcedo.000011-000011  
Salcedo.000012-000012

Salcedo.000013-000014  
Salcedo.000442-000444  
Salcedo.000015-000015  
Salcedo.000016-000016  
Salcedo.000017-000017  
Salcedo.000018-000018  
Salcedo.000021-000021  
Salcedo.000023-000023

---

13. Any and all documents relating to Plaintiff's claim that "Shortly after starting his internship in July 2017, Plaintiff requested reasonable accommodations from three Chief Residents: Dr. James Kogut, Dr. Simrajit Bedi, and Dr. Britt Marshall" as alleged in Paragraph 47 of the Complaint.

**OBJECTION:**

Plaintiff objects to this request to the extent they seek information not in Plaintiff's custody or control, such as documents already in Defendants' counsel's possession, or documents equally available to Plaintiff and Defendants.

**RESPONSE:**

See Bates Documents:  
Salcedo.000011-000011  
Salcedo.000012-000012  
Salcedo.000013-000014  
Salcedo.000015-000015  
Salcedo.000016-000016



14. Any and all documents relating to Plaintiff's claim that Plaintiff requested a reasonable accommodation as alleged in Paragraphs 48-49 of the Complaint.

**OBJECTION:**

Plaintiff objects to Defendants' Requests to the extent that they are overbroad in scope, unduly and unreasonably burdensome, and/or oppressive as discovery is ongoing and Defendant has not yet responded to Plaintiff's discovery request.

**RESPONSE:**

See Bates Documents:  
Salcedo.000439-000441  
Salcedo.000015-000015  
Salcedo.000016-000016  
Salcedo.000018-000018  
Salcedo.000849-000850  
Salcedo.000851-000851  
Salcedo.000021-000021

---

15. Any and all documents relating to Plaintiff's allegation that Plaintiff contacted Human Resources as alleged in Paragraph 50 of the Complaint.

**RESPONSE:**

See Bates Documents:  
Salcedo.000012-000012  
Salcedo.000013-000014

16. Any and all documents relating to Plaintiff's claims that he requested accommodations due to his serious health conditions/ disabilities as further alleged in Paragraphs 51-55, 59, 74, 75, and 85 of the Complaint.

**RESPONSE:**

See Bates Documents:

Salcedo.000946-001033

Salcedo.001034-001043

Salcedo.001044-001046

Salcedo.000442-000444

Salcedo.000015-000015

Salcedo.000918-000918

Salcedo.000447-000453

Salcedo.000454-000454

Salcedo.000455-000456

Salcedo.000928-000928

Salcedo.000930-000933

---

17. Any and all documents relating to Plaintiff's claim that his medical providers requested accommodations for Plaintiff as alleged in Paragraphs 52, 54 and 55 of the Complaint.

**RESPONSE:**

See Bates Documents:

Salcedo.000946-001033

Salcedo.001034-001043

Salcedo.000918-000918

Salcedo.000447-000453

Salcedo.000924-000924  
Salcedo.000455-000456  
Salcedo.000928-000928

---

18. Any and all documents that Plaintiff submitted to Defendant related to Plaintiff's alleged requests for accommodations.

**OBJECTION:**

Plaintiff objects to Defendants' Requests to the extent that they are overbroad in scope, unduly and unreasonably burdensome, and/or oppressive.

**RESPONSE:**

See Bates Documents:  
Salcedo.000015-000015  
Salcedo.000016-000016  
Salcedo.000018-000018  
Salcedo.000021-000021

---

19. Any and all documents relating to Plaintiff's claim that "Dr. Swallow continued to schedule Dr. Salcedo 78 to 80 or more hours per week before and after his requests for accommodation" as alleged in Paragraph 60 of the Complaint.

**RESPONSE:**

See Bates Documents:  
Salcedo.000445-000445  
Salcedo.000446-000446

Salcedo.000459-000459  
Salcedo.000847-000847  
Salcedo.000848-000848

---

20. Any and all documents relating to Plaintiff's claim that Dr. Swallow directed, and Plaintiff provided fitness for duty assessments as alleged in Paragraphs 66- 72 of the Complaint.

**RESPONSE:**

See Bates Documents:  
Salcedo.000019-000019  
Salcedo.000447-000453  
Salcedo.000924-000924  
Salcedo.000455-000456  
Salcedo.000849-000850

---

21. Any and all documents relating to Plaintiff's claim that Dr. Swallow issued Plaintiff a remediation plan as alleged in Paragraphs 73-81 of the Complaint.

**RESPONSE:**

See Bates Documents Salcedo.000020-000020

---

22. Any and all documents relating to communications between Dr. Swallow and Dr. Munoz as alleged in Paragraphs 90-94 of the Complaint.

**RESPONSE:**

See Bates Documents:  
Salcedo.000849-000850  
Salcedo.000021-000021

---

23. Any and all documents relating to Plaintiff's claim that "Dr. Salcedo was terminated despite receiving consistent positive reviews from his attending physicians up until April 4, 2018" as alleged in Paragraph 102 of the Complaint.

**RESPONSE:**

See Bates Documents  
Salcedo.000383-000435

---

24. Any and all documents relating to Plaintiff's claim that he filed an appeal of the decision to terminate him from the program as alleged in Paragraph 101 of the Complaint.

**RESPONSE:**

See Bates Documents:  
Salcedo.000383-000435  
Salcedo.001050-001050  
Salcedo.001051-001051  
Salcedo.001052-001052  
Salcedo.001053-001053  
Salcedo.001054-001057  
Salcedo.000864-000865  
Salcedo.001058-001060

---

25. Any and all documents relating to Plaintiff's claim that Dr. Snyder submitted an "outlier evaluation" as alleged in Paragraph 102 of the Complaint.

**RESPONSE:**

See Bates Documents  
Salcedo.000864-000865

---

26. Any and all documents relating to Plaintiff's claim that "Plaintiff was terminated from the program because his disability, record of disability or perceived disability" as alleged in Paragraph 122 of the Complaint.

**OBJECTION:**

Plaintiff objects to this request to the extent it seeks information not in Plaintiff's custody or control, such as documents already in Defendants' counsel's possession, or documents equally available to Plaintiff and Defendants.

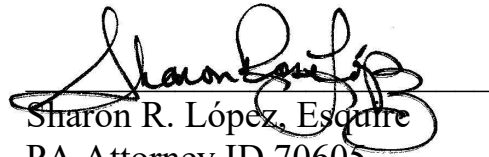
**RESPONSE:**

See Bates Documents:  
Salcedo.000383-000435  
Salcedo.000018-000018  
Salcedo.000019-000019  
Salcedo.000020-000020  
Salcedo.000021-000021  
Salcedo.000849-000850  
Salcedo.000023-000023  
Salcedo.000024-000024  
Salcedo.000864-000865  
Salcedo.000022-000022

As discovery is ongoing, Plaintiff reserves the right to supplement these responses.

Respectfully submitted on this 16th day of October 2020.

 **TRIQUETRA LAW®**

  
Sharon R. López, Esquire  
PA Attorney ID 70605

The Offices at Marion Court  
35 East Orange Street, Suite 301  
Lancaster, PA 17601  
T: (717) 299-6300 F: (717) 299-6338  
[Lopez@TriquetraLaw.com](mailto:Lopez@TriquetraLaw.com)

---

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

---

Pablo A. Salcedo,  Plaintiff,  v.  The Milton S. Hershey Medical Center,  Defendant.	: : : : : : : : : : :	Civil Action No. 19-cv-2201   Before the Honorable Yvette Kane   Jury Trial Demanded
---	---	---

---

---

**CERTIFICATE OF SERVICE**

---

I, Sharon R. López, hereby certify that on this date, a true and correct copy of the foregoing has been served via electronic mail to:

Nancy Conrad, Esq.  
White and Williams, LLP  
3701 Corporate Parkway, Suite 300  
Center Valley, PA 18034-8233  
(610) 782-4957  
ConradN@WhiteandWilliams.com  
*Attorney for Defendant*

Dated: October 16, 2020



**TRIQUETRA LAW®**

Respectfully submitted,

Sharon R. López, PA ID 70605  
35 East Orange Street, Suite 301  
Lancaster, PA 17602  
T: (717) 299-6300 F: (717) 299-6338  
[Lopez@TriquetraLaw.com](mailto:Lopez@TriquetraLaw.com)  
*Counsel for Pablo A. Salcedo*



# EXHIBIT 3



Deposition of:  
**Pablo A. Salcedo**

*December 1, 2021*

In the Matter of:  
**Salcedo, Pablo A. Vs. The Milton S.  
Hershey Medical Center**

**Veritext Legal Solutions**  
800.233.2441 | [svs@veritext.com](mailto:svs@veritext.com) |

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PABLO A. SALCEDO ) No. 1:19-cv-02201  
Plaintiff )  
)  
vs. )  
)  
THE MILTON HERSHEY MEDICAL )  
CENTER )  
Defendant )

VIDEOTAPED DEPOSITION OF PABLO SALCEDO

Taken via Zoom on Wednesday, December  
1, 2021, commencing at 9:57 a.m., by Leandra M.  
Stoudt, RPR, CBC, CCP, CRR, Notary Public and  
Shelby Stotler, Videographer

APPEARANCES:

TRIQUETRA LAW  
BY: Sharon Lopez, Esq.  
35 East Orange Street, Suite 301  
Lancaster, PA 17602  
717-299-6300  
Lopez@triquetralaw.com  
-- For the Plaintiff

<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES (continued):</p> <p>2</p> <p>3 WHITE AND WILLIAMS LLP</p> <p>4 BY: Nancy Conrad, Esq.</p> <p>5 3701 Corporate Parkway, Suite 300</p> <p>6 Center Valley, PA 18034</p> <p>7 610-782-4909</p> <p>8 conradn@whiteandwilliams.com</p> <p>9 -- For the Defendant</p> <p>10</p> <p>11 ALSO PRESENT:</p> <p>12 Shelby Stotler, Videographer</p> <p>13 Nicole A. Swallow, M.D.</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 4</p> <p>1 INDEX TO EXHIBITS</p> <p>2 (Exhibits not in custody of reporter.)</p> <p>3 EXHIBITS: DESCRIPTION PAGE</p> <p>4 Exhibit 16 Letter of Accommodation 162</p> <p>5 Request 8/28/17</p> <p>6 Exhibit 17 Email170</p> <p>7 Exhibit 18 Text message thread 172</p> <p>8 Exhibit 20 10/30/17 reminder 173</p> <p>9 Exhibit 23 Log hours 180</p> <p>10 Exhibit 24 CCC Milestone Review181</p> <p>11 Exhibit 25 Exhibit 12/6/17183</p> <p>12 Exhibit 26 Document 189</p> <p>13 Exhibit 27 Document 197</p> <p>14 Exhibit 28 Return to work clearance 201</p> <p>15 Exhibit 29 Notes Dr. Batz 205</p> <p>16 Exhibit 30 Return to work Sullivan 207</p> <p>17 Exhibit 31 Remediation letter 211</p> <p>18 Exhibit 32 Document 216</p> <p>19 Exhibit 33 Warning letter 229</p> <p>20 Exhibit 34 Email235</p> <p>21 Exhibit 37 Log hours 245</p> <p>22 Exhibit 39 HMC453 249</p> <p>23 INDEX TO REQUESTS</p> <p>24 Page 118 / Line 22; Page 192 / Line 8;</p> <p>25 Page 235 / Line 17</p>
<p style="text-align: right;">Page 3</p> <p>1 INDEX TO WITNESS</p> <p>2</p> <p>3 WITNESSPAGE</p> <p>4 PABLO A. SALCEDO</p> <p>5 By Ms. Conrad 6</p> <p>6</p> <p>7 INDEX TO EXHIBITS</p> <p>8 (Exhibits not in custody of reporter.)</p> <p>9 EXHIBIT: DESCRIPTION PAGE</p> <p>10 Exhibit 1 EEOC Charge 17</p> <p>11 Exhibit 2 Federal Complaint 53</p> <p>12 Exhibit 3 Plaintiff's responses to 101</p> <p>13 Defendant's first request for</p> <p>14 responses to interrogatories</p> <p>15 Exhibit 4 Resident agreement form 129</p> <p>16 Exhibit 5 Resident Agreement form yr 2-4 134</p> <p>17 Exhibit 6 Email Dr. Kogut 6/27/17 135</p> <p>18 Exhibit 7 Form to get cleared to work 145</p> <p>19 Exhibit 8 Treatment notes Michelle Batz 146</p> <p>20 Exhibit 9 Treatment plan 151</p> <p>21 Exhibit 10 Faculty evaluation form 151</p> <p>22 Exhibit 11 Email exchange with Hundertmark153</p> <p>23 Exhibit 13 Email158</p> <p>24 Exhibit 14 Treatment note Britt Marshall 159</p> <p>25</p>	<p style="text-align: right;">Page 5</p> <p>1 (It is stipulated by and between</p> <p>2 counsel for the respective parties that all</p> <p>3 objections except as to the form of the question</p> <p>4 are reserved until the time of trial.)</p> <p>5 MS. LOPEZ: Since we have all the</p> <p>6 exhibits, I won't need those, but I will need a TXT</p> <p>7 file or an ASCII file just so I can download it.</p> <p>8 And then maybe original and condensed.</p> <p>9 THE VIDEOGRAPHER: We are now on the</p> <p>10 record. This begins videotape number 1 and the</p> <p>11 deposition of Pablo A. Salcedo in the matter of --</p> <p>12 excuse me -- of Salcedo, Pablo A. versus The Milton</p> <p>13 S. Hershey Medical Center. Today is Wednesday,</p> <p>14 December 1st, and the time is 10:22 a.m.</p> <p>15 This deposition is being taken</p> <p>16 remotely via Zoom. The videographer is Shelby</p> <p>17 Stotler of Veritext Legal Solutions and the court</p> <p>18 reporter is Leandra Stoudt of Veritext Legal</p> <p>19 Solutions.</p> <p>20 Will counsel and all parties present</p> <p>21 state their appearances and whom they represent?</p> <p>22 MS. LOPEZ: Sharon Lopez for the</p> <p>23 Plaintiff, Pablo Sal -- Dr. Pablo Salcedo.</p> <p>24 MS. CONRAD: Good morning. Nancy</p> <p>25 Conrad for The Milton S. Hershey Medical Center.</p>

<p style="text-align: right;">Page 6</p> <p>1 And with me today is Dr. Swallow from the medical 2 center. 3 THE VIDEOGRAPHER: Will the court 4 reporter please swear in the witness. 5 THE REPORTER: The attorneys 6 participating in this deposition acknowledge that I 7 am not physically in the present -- in the 8 deposition room and that I will be reporting this 9 deposition remotely. They further acknowledge 10 that, in lieu of an oath administered in person, I 11 will administer the oath remotely. The parties and 12 their counsel consent to this arrangement and waive 13 any objections to this manner of reporting. 14 Mr. Salcedo, could you please raise 15 your right hand? 16 PABLO SALCEDO, having been duly 17 sworn, was examined and testified as follow: 18 THE REPORTER: Thank you. 19 * * * 20 EXAMINATION 21 BY MS. CONRAD: 22 Q. Good morning, Dr. Salcedo. My name is 23 Nancy Conrad, and as you are aware, I represent The 24 Hershey Medical Center in this lawsuit that you 25 filed against it.</p>	<p style="text-align: right;">Page 8</p> <p>1 by your attorney in this action? 2 A. To the best of my knowledge. 3 Q. During the course of this deposition, 4 I will be asking you a series of questions. If at 5 any time you do not understand my question, please 6 let me know and I will rephrase it. 7 If you answer the question then, I 8 will presume that -- that you understand what -- 9 the information that I am seeking. 10 If at any time during the deposition 11 you want to take a break, we certainly will 12 accommodate that request. I ask, though, that you 13 complete any question that is pending prior to the 14 break. 15 And even though we are sitting in 16 separate rooms and not in the usual setting that a 17 deposition take place, I want to remind you that 18 the same rules apply, in that you are to answer 19 truthfully, as you are under oath. And that there 20 is no coaching or consulting permitted with respect 21 to the questions that are presented to you. 22 I want to let you know that we 23 received late last night and this morning some 24 supplemental documents from your counsel. In light 25 of that late production, I have reserved the right</p>
<p style="text-align: right;">Page 7</p> <p>1 We are here today to take your 2 deposition. And we're taking that deposition 3 pursuant to a notice that was issued with respect 4 to the deposition. 5 Did you receive a copy of that notice? 6 A. I -- I believe so. I can't see the 7 actual notice in front of me. 8 Q. All right. Well, I'm not marking it 9 as an exhibit. 10 And did you bring any documents, per 11 the notice, that have not been produced in 12 discovery to date? 13 A. No, I have not. 14 Q. Have you ever been deposed before, 15 Dr. Salcedo? 16 A. No, I have not. 17 Q. And did you not bring documents 18 because there are no other documents, or because 19 you have not yet had the opportunity to produce 20 such documents? 21 A. Because there are no other documents, 22 and I was instructed that -- not to bring any 23 documents. 24 Q. And is it your testimony that all 25 documents pursuant to this case have been produced</p>	<p style="text-align: right;">Page 9</p> <p>1 to recall you to a second day of a deposition. 2 With that in mind, we will determine how best to 3 proceed; that is, if we get to late afternoon 4 knowing that there will be a second day, we may 5 confer and decide to conclude at a certain point in 6 time based on the second day of deposition. 7 MS. LOPEZ: Counsel, I'd like to just 8 put on the record clearly that I do object to that 9 and that my client is prepared to spend extra time, 10 if that is what is required, to cover those extra 11 documents that were disclosed yesterday and today. 12 I just want to make sure that that's clearly stated 13 on the record. 14 MS. CONRAD: I understand your 15 position. I have not had the opportunity to review 16 those documents and may not be in a position to --- 17 to get to them today. And it is not my intent to 18 stay late into the evening hours just to complete 19 the deposition when we have additional time for 20 discovery. 21 BY MS. CONRAD: 22 Q. Dr. Salcedo, do you have any medical 23 condition or are you on any medications that will 24 affect your ability to testify today? 25 A. No, I don't have any conditions or</p>

<p style="text-align: right;">Page 10</p> <p>1 take any medications that would impact my ability</p> <p>2 to be deposed today.</p> <p>3 Q. And, Dr. Salcedo, did you prepare at</p> <p>4 all for today's deposition?</p> <p>5 A. Yes, I did.</p> <p>6 Q. How did you prepare?</p> <p>7 A. I reviewed timelines I created as well</p> <p>8 as all the documents that I had in my possession,</p> <p>9 that I received from the medical center, including</p> <p>10 Dr. Swallow. And I also reviewed this material</p> <p>11 with my attorney, Sharon.</p> <p>12 Q. The exchange that you had with your</p> <p>13 counsel is privileged, and I will not be asking you</p> <p>14 about those exchanges. But I do want to ask you a</p> <p>15 few follow up questions about the documents.</p> <p>16 What timelines are you referring to?</p> <p>17 A. Basically, my -- my recollection of</p> <p>18 the events that --</p> <p>19 MS. LOPEZ: Counsel -- counsel, just</p> <p>20 so you know, the -- just those timelines were</p> <p>21 attorney/client communications.</p> <p>22 MS. CONRAD: They are not now. If he</p> <p>23 reviewed them in preparation for this deposition, I</p> <p>24 have the right to review them.</p> <p>25 MS. LOPEZ: I -- I disagree. I</p>	<p style="text-align: right;">Page 12</p> <p>1 question, but because we are on video, I would</p> <p>2 request that you not nod your head, because that</p> <p>3 then is a way of communicating with your client.</p> <p>4 And it is his testimony that I seek today.</p> <p>5 MS. LOPEZ: I understand.</p> <p>6 MS. CONRAD: Thank you.</p> <p>7 BY MS. CONRAD:</p> <p>8 Q. And that brings another good point,</p> <p>9 Dr. Salcedo. Because we have a court reporter</p> <p>10 present and she will be reporting your every word,</p> <p>11 it's important that you respond using words and</p> <p>12 avoid head nods or other hand gestures in order for</p> <p>13 us to have a complete record. Do you understand</p> <p>14 that instruction?</p> <p>15 A. Yes.</p> <p>16 Q. Dr. Salcedo, are you currently</p> <p>17 employed?</p> <p>18 A. Yes.</p> <p>19 Q. With whom?</p> <p>20 A. Booz Allen Hamilton.</p> <p>21 Q. What is your position?</p> <p>22 A. Advanced health scientist.</p> <p>23 Q. And what are your primary job duties</p> <p>24 and responsibilities?</p> <p>25 A. Oh, I serve as a research scientist</p>
<p style="text-align: right;">Page 11</p> <p>1 disagree. She -- he -- he provided those to me in</p> <p>2 preparation for this deposition. You have some of</p> <p>3 the timelines already that he did provide to you</p> <p>4 that were created in -- before he filed this</p> <p>5 lawsuit. But there were communications to counsel</p> <p>6 that were not disclosed to counsel and are</p> <p>7 protected and were not requested during -- during</p> <p>8 the deposition process -- during the discovery</p> <p>9 process.</p> <p>10 BY MS. CONRAD:</p> <p>11 Q. Dr. Salcedo, how many timelines do you</p> <p>12 possess?</p> <p>13 A. It's just one. It's just my</p> <p>14 recollection of the events as they unfolded at the</p> <p>15 medical center, and that's what I've discussed with</p> <p>16 my attorney.</p> <p>17 Q. Just to make clear, you testified that</p> <p>18 you have a document that you reviewed that is a</p> <p>19 timeline, correct?</p> <p>20 A. That I created, yes.</p> <p>21 Q. And has that timeline been produced in</p> <p>22 this -- in discovery in this matter?</p> <p>23 A. At this moment, I don't know.</p> <p>24 MS. CONRAD: And, Attorney Lopez, I</p> <p>25 understand that you may know the answer to that</p>	<p style="text-align: right;">Page 13</p> <p>1 and -- and a subject matter expert. I oversee</p> <p>2 clinical trials at various hospitals throughout the</p> <p>3 country.</p> <p>4 Q. When did you start that employment?</p> <p>5 A. September through October of 2019.</p> <p>6 Q. What are -- is your annual salary?</p> <p>7 A. \$115,000.</p> <p>8 Q. Have you been evaluated in that</p> <p>9 position?</p> <p>10 A. Yes.</p> <p>11 Q. And what is the overall level of the</p> <p>12 evaluation?</p> <p>13 A. Exceeds expectations. I'm currently</p> <p>14 leading a research department on my own. So I've</p> <p>15 been highly referred and recognized at my company.</p> <p>16 I received a few awards already. So doing well</p> <p>17 there.</p> <p>18 Q. And did you request accommodations in</p> <p>19 order to do your job duties and responsibilities?</p> <p>20 A. Yes, I did.</p> <p>21 Q. What accommodations did you request?</p> <p>22 A. So when I initially started at Booz</p> <p>23 Allen Hamilton, as I do whenever I start a new</p> <p>24 position, I sought out accommodations. But because</p> <p>25 of the nature of my position, the combination team</p>

<p style="text-align: right;">Page 14</p> <p>1 at Booz Allen Hamilton felt that I was okay with my  2 current work structure.  3 I'm currently working 40 hours a week,  4 so I have ample time for self-care, ample time to  5 see my providers, and there were no need -- there  6 was not any need for additional accommodations.  7 Q. How did you seek those accommodations  8 that you originally requested?  9 A. I went to my direct manager,  10 supervisor and asked them about the process. They  11 referred me to H -- HR. There's actually a  12 specific -- actually -- there's actually a specific  13 team at Booz Allen Hamilton. It's a rather company  14 that handles accommodations, so they have their own  15 department with accommodations, and I was connected  16 with that department.  17 Q. Did you submit any documentation with  18 respect to the request for accommodations?  19 A. No.  20 Q. How did you then communicate your  21 request for an accommodation?  22 A. Verbal conversations on the phone and  23 email.  24 Q. And what information was contained in  25 the email with respect to the accommodations?</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. In any other capacity?  2 A. I did attend a fellowship, a training  3 fellowship, but that was unpaid. That was a  4 scholarly activity.  5 Q. And with whom did you engage in that  6 training fellowship?  7 A. The name is Flatiron School. It's a  8 -- based out of Wash -- out of Washington D.C.  9 It's a data science program for advanced degree  10 professionals.  11 Q. And did you receive an advanced  12 degree?  13 A. Yes.  14 Q. What degree?  15 A. M.D.  16 Q. And that was after you left Hershey?  17 A. Yes.  18 Q. I want to focus just for a moment with  19 respect to Hershey Medical Center.  20 Did you have an agreement with Hershey  21 Medical Center with respect to your residency?  22 A. I -- I did have a resident agreement  23 that I signed prior to starting.  24 Q. And prior to starting or at the time  25 of starting, did attend an orientation session with</p>
<p style="text-align: right;">Page 15</p> <p>1 A. Just that I suffer from chronic major  2 depression and generalized anxiety, and I wanted to  3 see what the company offered for people with  4 disabilities and what the accommodation process  5 was.  6 Q. Did you request any specific  7 accommodation?  8 A. No. I just initiated the process and  9 the conversation. It ended up being that because  10 of the project I'm on currently, both myself and  11 the accommodation department felt that I was  12 adequately addressed and didn't need  13 accommodations.  14 Q. And who did you speak with in regards  15 to this exchange?  16 A. I would have to refer to that -- that  17 information. I don't know the name off the top of  18 my head.  19 Q. But you would have that in an email,  20 correct?  21 A. Yes.  22 Q. Other than the employment position  23 that you just described, have you held any other  24 positions since leaving Hershey Medical Center?  25 A. As an employee, no.</p>	<p style="text-align: right;">Page 17</p> <p>1 respect to your residency program?  2 A. Yes.  3 Q. What information, if any, do you  4 recall was covered during that orientation?  5 A. I believe it was largely  6 administrative in nature, sort of expectations,  7 where things were located. We were given tours.  8 Sort of met our colleagues. I believe there were  9 team building workshops and activities of that  10 such. Yep.  11 Q. Did you receive any documents during  12 that orientation?  13 A. I believe I received that resident  14 agreement as well as maybe some IT forms to get  15 badged and photographed and things like that.  16 Q. Did you receive any information with  17 respect to policies of Hershey Medical Center that  18 applied to residents?  19 A. Yes.  20 Q. What policies did you receive or  21 obtain access to?  22 A. I received a short document that was  23 entitled -- I believe it was for residents, first  24 years and had some brief policies on expectations  25 of basically PGY-1, so it was directed at</p>

<p style="text-align: right;">Page 18</p> <p>1 first-year residents. I remember getting that 2 during orientation. 3 Q. Did you receive any -- or did you 4 receive information about any other policies that 5 applied to residents? 6 A. It's possible. But those policies 7 that I just mentioned are the ones that come to my 8 mind right now. 9 Q. Did you receive any information from 10 human resources about policies that applied to 11 residents? 12 A. No, not that I can recall. 13 Q. Dr. Salcedo, have you received copies 14 of the exhibits for today's deposition? 15 A. Yes, ma'am. 16 Q. I'd like to direct your attention to 17 Exhibit 1. 18 (Exhibit 1 was marked.) 19 BY MS. CONRAD: 20 Q. Are you familiar with this document? 21 A. Yes. 22 Q. What is it? 23 A. That is the charge of discrimination 24 with the Equal Employment Opportunity Commission 25 that I filed.</p>	<p style="text-align: right;">Page 20</p> <p>1 to? 2 A. Dr. Swallow and the three chief 3 residents. 4 Q. When did you inform Dr. Swallow of 5 your need for an accommodation? 6 A. So I met with Dr. Swallow late August 7 of 2017, around August 30th. 8 Q. What information did you provide to 9 Dr. Swallow on August 30th, 2017 about your need 10 for an accommodation? 11 A. I provided her two documents, two 12 separate documents. The first document I provided 13 her was the accommodation request form provided by 14 HR that I had started to fill out, as well as a -- 15 a note from my psychiatrist, Dr. Munoz, requesting 16 accommodations. So two documents. 17 Q. Dr. Salcedo, are you looking at any 18 documents as you testify today? 19 A. The exhibits, I have them on an 20 external monitor. 21 Q. Are you look -- in addition to the 22 exhibit, you appear to be looking down at 23 something. Is there an additional document or 24 monitor or screen that you're looking at? 25 A. No. I have anxiety, so I have a</p>
<p style="text-align: right;">Page 19</p> <p>1 Q. And is that your signature on the 2 signature block at the bottom of the first page? 3 A. Yes. 4 Q. And what is the date of -- that you 5 signed this document? 6 A. September 5th, 2018. 7 Q. And you declare, under penalty of 8 perjury, that the information is true and correct, 9 don't you? 10 A. Yes. 11 Q. And is the information contained in 12 this document, throughout this document true and 13 correct? 14 A. Yes. I'm just scrolling down because 15 there's multiple pages. I don't want to see every 16 document I'm commenting on. 17 Q. I want to direct your attention to the 18 second page of the exhibit. 19 Number 3, it says, I informed the 20 hospital of my need for an accommodation. 21 Do you see that statement? 22 A. Yes. 23 Q. Who do you mean when you say hospital? 24 A. Penn State Hershey Medical Center. 25 Q. What person, in any, are you referring</p>	<p style="text-align: right;">Page 21</p> <p>1 fidget spinner just to help me get through. That's 2 what's down there. 3 Q. Thank you for that clarification. 4 What information, if any, did you tell 5 the three chiefs about your need for an 6 accommodation? 7 A. I also disclosed to them that I suffer 8 from chronic major depression and generalized 9 anxiety, and I -- I wanted accommodations and I 10 wanted to see what could be provided from the 11 medical center. So we did have a discussion on 12 things that could be implemented, and they included 13 sit down rounds with physicians, meeting attendings 14 prior to the rotations to set expectations and 15 goals, and quiet spaces to do work. 16 Q. Dr. Salcedo, could you take your 17 screen for a broader view so we can see what -- 18 what is in front of you? 19 A. You mean turn my computer around. 20 Q. I mean give us a broader view. So, 21 for example, right now, you -- you can see my 22 yellow legal pad that I'm working on. I would like 23 you to lower the view so I can see what is in front 24 of you. Thank you. 25 A. Okay.</p>



<p style="text-align: right;">Page 22</p> <p>1 Q. When did you meet with the three</p> <p>2 chiefs?</p> <p>3 A. Around August 25th, 2017. August 24th</p> <p>4 or 25th.</p> <p>5 Q. And who are the three chiefs that you</p> <p>6 met with?</p> <p>7 A. It would be Dr. James Kogut, Dr. Sim</p> <p>8 Bedi, and Dr. Britt Marshall.</p> <p>9 Q. In number 4, you state, I asked for an</p> <p>10 accommodation as soon as I started my internship.</p> <p>11 And that my accommodation requests were deemed</p> <p>12 reasonable by the chief resident.</p> <p>13 Do you see that allegation?</p> <p>14 A. Yes.</p> <p>15 Q. Who are you referring to when you say,</p> <p>16 the requests were deemed reasonable?</p> <p>17 A. Mainly Dr. Britt Marshall and Dr.</p> <p>18 James Kogut.</p> <p>19 Q. And what, if anything, did they say to</p> <p>20 you that led you to the belief that they were</p> <p>21 deemed reasonable?</p> <p>22 A. They provided reassurance, which</p> <p>23 included nodding and yeses. And they continued to</p> <p>24 engage in the conversation by providing alternative</p> <p>25 methods of accommodation. So there was a dialogue.</p>	<p style="text-align: right;">Page 24</p> <p>1 you're asking me the questions.</p> <p>2 Q. I -- we'll try, but I don't want to</p> <p>3 --</p> <p>4 A. Okay. If you can. It's just a little</p> <p>5 distracting.</p> <p>6 Could you please repeat the question?</p> <p>7 Q. Who suggested the accommodation of</p> <p>8 seeing your healthcare provider monthly?</p> <p>9 A. Oh, I'd say that was -- that was my</p> <p>10 comment and that I -- that the chief residents know</p> <p>11 it was a priority for me.</p> <p>12 Q. Were there any emails or documents</p> <p>13 existing about this discussion that you had with</p> <p>14 the chiefs?</p> <p>15 A. There were a few. There's one in</p> <p>16 which I reached out to the chief residents to</p> <p>17 schedule this meeting. I am the one that initiated</p> <p>18 it and requested it. There's also a follow-up</p> <p>19 email by myself thanking the resident -- I mean the</p> <p>20 chief resident for their time and for listening to</p> <p>21 my requests for accommodations.</p> <p>22 Q. Were there any emails from the chiefs</p> <p>23 about this meeting?</p> <p>24 A. There was a response from Dr. James</p> <p>25 Kogut, but that was prior to the meeting, just</p>
<p style="text-align: right;">Page 23</p> <p>1 Q. And who -- who suggested the quiet</p> <p>2 space to do notes?</p> <p>3 A. Dr. Britt Marshall.</p> <p>4 Q. Who suggested meeting with colleagues</p> <p>5 in advance?</p> <p>6 A. I believe I started that suggestion,</p> <p>7 and then it -- we just kind of snowballed it into</p> <p>8 the full meeting with the new attendings prior to</p> <p>9 each rotation to set expectations and goals. So,</p> <p>10 again, it was a discussion. It wasn't like I had a</p> <p>11 list of accommodations prepared.</p> <p>12 Q. You had a list prepared?</p> <p>13 A. I said it was not as if I had a list.</p> <p>14 So no, I did not.</p> <p>15 Q. You did not have a list?</p> <p>16 A. No.</p> <p>17 Q. Who made the suggestion about sit-down</p> <p>18 rounds?</p> <p>19 A. It could either have been Dr. Britt</p> <p>20 Marshall or Dr. James Kogut.</p> <p>21 Q. And who made the suggestion about the</p> <p>22 ability to see your healthcare provider monthly?</p> <p>23 A. Just, I guess, one comment. Is there</p> <p>24 any way we can have the video just be on you?</p> <p>25 Because I've been looking at Dr. Swallow while</p>	<p style="text-align: right;">Page 25</p> <p>1 confirming the meeting.</p> <p>2 Q. And approximately when was this</p> <p>3 meeting held?</p> <p>4 A. August 25th, 2018.</p> <p>5 Q. How do you remember that date?</p> <p>6 A. It was the first time that I had</p> <p>7 disclosed my disability to the program. It was</p> <p>8 very hard for me. I was making myself very</p> <p>9 vulnerable, especially given the stigma that</p> <p>10 existed in medical education. But I knew it was</p> <p>11 what I needed to do for myself. So there's a lot</p> <p>12 of emotional tie into that event.</p> <p>13 Q. Under paragraph 5 of the EEOC charge,</p> <p>14 you state that, in the second sentence, you started</p> <p>15 filling out accommodation paperwork. Do you see</p> <p>16 that --</p> <p>17 A. Yes.</p> <p>18 Q. -- statement?</p> <p>19 A. Yes.</p> <p>20 Q. What accommodation paperwork are you</p> <p>21 referring to?</p> <p>22 A. I had reached out to human resources</p> <p>23 prior to meeting with Dr. Swallow to get the</p> <p>24 accommodation request form. My therapist and my</p> <p>25 mental health care provider suggested that I obtain</p>

<p style="text-align: right;">Page 26</p> <p>1 that form. So I had it emailed to me from Penn 2 State Hershey Medical Center HR. 3 Q. How did you know to go to HR about an 4 accommodation request? 5 A. Again, it was suggested to me by my 6 mental health providers. So they're the ones that 7 prompted me to obtain that form. 8 Q. What medical health providers told you 9 to go to HR? 10 A. So, again -- you want specific names? 11 I'll give the names. Michelle Batz. She is my 12 therapist while I was at Penn State Hershey Medical 13 Center. And I cannot definitively say she said go 14 to HR, but she did say that there was a form that I 15 should get to request those accommodation. 16 Q. Well, then how did you know to go to 17 HR to get that form? 18 A. I'm recalling most likely Google and 19 trying to refer to how do I get this accommodation 20 -- I Goggled what the accommodation form is, 21 because I never had to actually use that form. And 22 it somehow landed me to the Penn State human 23 resource site. And I remember finding a contact 24 there and I emailed them. So I never met them in 25 person.</p>	<p style="text-align: right;">Page 28</p> <p>1 via Google search. But the initial request form 2 came up from my therapist during that meeting we 3 had. 4 Q. Your therapist suggested to you that 5 there was a form that you needed to complete? 6 A. Yes. 7 Q. And you then searched on Google where 8 to obtain that format at Hershey Medical Center? 9 A. Yes. 10 Q. Did you -- did your Google search lead 11 you to any policies at Hershey Medical Center that 12 discussed the accommodation process? 13 A. No, not that I can recall. It had -- 14 no. 15 Q. Did you search the Hershey Medical 16 Center site for any policies that related to a 17 request for an accommodation? 18 A. I don't believe so. I believe once I 19 found the form and the point of contact at human 20 resources, I went with that route. 21 Q. Again, the question is: How did you 22 find the point of contact? 23 MS. LOPEZ: Objection. Asked and 24 answered. 25 BY MS. CONRAD:</p>
<p style="text-align: right;">Page 27</p> <p>1 Q. All right. So what did you Google? 2 A. Accommodation request form. 3 Q. And after you put in accommodation 4 request form, the response was to go to the human 5 resources department at Penn State health? 6 A. No, I can't recall with 100 percent 7 the pathway that led me from my Google search to 8 getting in touch with human resources. I just know 9 that's how I initiated the process. 10 Q. Did somebody tell you to go to HR? 11 A. No. I would say no one directly said 12 to go to HR, but HR was a department that would 13 have had the accommodation request form. 14 Q. How did you know that? 15 MS. LOPEZ: Objection. Asked and 16 answered. 17 A. I don't understand the question. 18 MS. LOPEZ: Objection. Asked and 19 answered. You can ask -- 20 BY MS. CONRAD: 21 Q. How did you know that HR at Hershey 22 Medical Center would have the accommodation request 23 form? 24 A. So there's two possibilities, one 25 being my therapist and one being I found it online</p>	<p style="text-align: right;">Page 29</p> <p>1 Q. Your answer is -- so if I Google right 2 now accommodation request form, that would lead me 3 to Hershey Medical Center human resources? 4 MS. LOPEZ: Objection. Argumentative. 5 MS. CONRAD: It is not argumentative. 6 Q. You may answer the question. 7 A. it's -- It's possible. I'm not sure 8 what -- what Google would return. What I'm saying 9 is that I did a Google search after getting advice 10 to obtain accommodation request form from my 11 therapist, and that led me to the path of 12 contacting HR to get that accommodation request 13 form. The details in between, I can't 100 percent 14 tell you those details. That was just a Google 15 search. 16 Q. So is it your testimony that you do 17 not know the path that you took to get to -- that 18 led you to sending the email to HR to request the 19 form? 20 MS. LOPEZ: Objection. Misstates 21 testimony. 22 A. I do not. 23 BY MS. CONRAD: 24 Q. Do you know the path you followed to 25 get to -- prior to sending the email to HR?</p>

<p style="text-align: right;">Page 30</p> <p>1 MS. LOPEZ: Objection. Asked and 2 answered. 3 Q. You may answer again. 4 A. Yes, I'll -- I'll try to be more 5 direct with it because I might ne missing 6 something. But my therapist said, there's an 7 accommodation request form that you should get 8 filled out. So I Googled to find that form. And I 9 found the contact information for HR, and I 10 requested that form from HR. 11 The exact page or browser history or 12 technical pathway that led me to that I cannot 13 comment on. 14 Q. And that's what I'm having a hard time 15 understanding. 16 I'm trying to understand: What was 17 the search terms you used on Google that led you to 18 contact information for HR? 19 MS. LOPEZ: Asked and answered. 20 BY MS. CONRAD: 21 Q. You may answer again. 22 A. I -- I -- I can't tell you the exact 23 search terms. I just know that I found the form, I 24 contacted HR, and I got the appropriate forms. 25 Q. Well, if you found the form, why did</p>	<p style="text-align: right;">Page 32</p> <p>1 I just remember her name. 2 Q. Did you have any conversations with 3 her? 4 A. Out -- outside of email, No. 5 Q. Did you ask her about the process to 6 submit the claim -- the accommodation request form? 7 A. I -- I let her know that I was a -- a 8 resident starting out at Penn State with a 9 disability, and I was looking for this form so that 10 I could get accommodations. I was just trying to 11 get the form. 12 Q. Did you ask her, once you received the 13 form, to whom you should submit the form? 14 A. No. 15 Q. Did you review an HR policy to find 16 out, once you obtained the form, to whom it should 17 be submitted? 18 MS. LOPEZ: Objection. Asked and 19 answered. 20 Q. You may answer again. 21 A. I read the directions and instructions 22 on the form. 23 Q. And did that tell you to whom the form 24 should be submitted once it was completed? 25 A. It did. However, I was given</p>
<p style="text-align: right;">Page 31</p> <p>1 you have to contact HR for the form? 2 A. I found where the form could be found. 3 I didn't have the form online, so I found where the 4 form would be located. I misspoke. 5 Q. And who did you reach out to in HR? 6 MS. LOPEZ: Objection. Asked and 7 answered. 8 BY MS. CONRAD: 9 Q. What is the name of the person you 10 reached out to in HR? 11 MS. LOPEZ: Objection. Asked and 12 answered. 13 BY MS. CONRAD: 14 Q. You may answer again. 15 A. I believe it was a Miss Henderhook. 16 Q. Who? 17 A. A Miss Henderhook or Miss Barbara 18 Henderhook. I might be mispronouncing the name. 19 That's who I had the email communications with. 20 Q. How do you remember her name sitting 21 here today? 22 A. Because she is who I had the email 23 conversation with about the request forms. There 24 -- there was a hiccup where they sent them to me, 25 but I didn't get them, and she had to resend them.</p>	<p style="text-align: right;">Page 33</p> <p>1 different instruction on how to complete the form 2 by my direct supervisor, Dr. Swallow. 3 Q. What information was contained on the 4 form about its submission? 5 A. It would be helpful -- do you have the 6 form that you can show me? I don't know it from 7 memory. 8 Q. Well, I'm asking you what you 9 remember. 10 You said that there was information on 11 the form about to whom it should be submitted. And 12 I'm asking you: What information was on the form? 13 a. Sure. Okay. The form included, I 14 believe, four or five sections. One section was 15 preliminary information about me: my name, my ID 16 number, contact information. There was a section 17 for your healthcare provider. I believe there was 18 a section for Dr. Swallow to complete. And then 19 there was a final section for whoever was receiving 20 this request, to comment on and fax back to HR. 21 Q. So what information was on the form 22 about -- after it was completed, where it was to be 23 submitted? 24 MS. LOPEZ: Objection. Asked and 25 answered.</p>

<p style="text-align: right;">Page 34</p> <p>1 Q. You may answer.</p> <p>2 A. I -- I shared what I recalled from the</p> <p>3 form.</p> <p>4 Q. Turning to the next page of the EEOC</p> <p>5 charge. The second sentence says, on August 28th,</p> <p>6 2017, my doctor submitted the first in a series of</p> <p>7 letters/requests for accommodations.</p> <p>8 Do you see that allegation?</p> <p>9 A. Yes.</p> <p>10 Q. To whom are you referring to when you</p> <p>11 say, my doctor?</p> <p>12 A. Dr. Frank Munoz.</p> <p>13 Q. And when you say, my doctor submitted</p> <p>14 the first in a series of letters/requests for</p> <p>15 accommodations, to whom did Mr. Munoz submit those</p> <p>16 letters?</p> <p>17 A. Dr. Nicole Swallow.</p> <p>18 Q. How did Dr. Munoz know to submit them</p> <p>19 to Dr. Swallow?</p> <p>20 MS. LOPEZ: Objection. Calls for</p> <p>21 speculation.</p> <p>22 Q. Do you know how Dr. -- did you inform</p> <p>23 -- provide any information to Dr. Munoz about to</p> <p>24 whom to submit the form?</p> <p>25 A. Did the second form, Dr. Swallow</p>	<p style="text-align: right;">Page 36</p> <p>1 To whom did Dr. Munoz submit the</p> <p>2 August 28th, 2017 letter? Whom did he physically</p> <p>3 give it to or send it to?</p> <p>4 MS. LOPEZ: Objection. Asked and</p> <p>5 answered.</p> <p>6 MS. CONRAD: I'm just trying to</p> <p>7 clarify.</p> <p>8 Q. Was -- did Dr. Munoz give that August</p> <p>9 28, 2017 letter to you?</p> <p>10 A. Yes.</p> <p>11 Q. Now, Doctor, the third or fourth</p> <p>12 sentence, you -- there's an allegation that you</p> <p>13 were told they were, quote, working on it.</p> <p>14 Do you see that allegation?</p> <p>15 A. Yes.</p> <p>16 Q. Who is the "they" you are referring</p> <p>17 to?</p> <p>18 A. Dr. Nicole Swallow.</p> <p>19 Q. Anyone else?</p> <p>20 A. Dr. Nicole Swallow.</p> <p>21 Q. So why didn't you use the word "she"</p> <p>22 instead of "they"?</p> <p>23 A. I believe when I submitted this</p> <p>24 complaint, I was referring to the hospital as one</p> <p>25 entity and Dr. Swallow as that person of the</p>
<p style="text-align: right;">Page 35</p> <p>1 herself reached out to Dr. Frank Munoz via</p> <p>2 telephone.</p> <p>3 Q. I'm talking about the August 28, 2017</p> <p>4 reference.</p> <p>5 A. Okay. So for the August 28th, that</p> <p>6 was a handwritten letter that I delivered to</p> <p>7 Dr. Swallow on our August 30th meeting.</p> <p>8 Q. So Dr. Munoz didn't submit the August</p> <p>9 28, 2017 letter to Dr. Swallow, correct?</p> <p>10 A. Yes. It wasn't addressed to her, but</p> <p>11 it was to my direct supervisor and the person in</p> <p>12 change of my scheduling and accommodations.</p> <p>13 Q. I'm asking: Who did Dr. Munoz hand</p> <p>14 the October 28, 2017 letter to.</p> <p>15 MS. LOPEZ: Objection. Asked and</p> <p>16 answered.</p> <p>17 MS. CONRAD: He just answered it.</p> <p>18 It's -- it was submitted to him.</p> <p>19 A. Yeah, to Dr. --</p> <p>20 Q. Is that correct, Dr. Salcedo?</p> <p>21 A. It was written for Dr. Swallow, and I</p> <p>22 delivered it to Dr. Swallow on our August 30th</p> <p>23 meeting.</p> <p>24 Q. Listen to my question, please, and</p> <p>25 please answer my question.</p>	<p style="text-align: right;">Page 37</p> <p>1 entity. So that's just a semantic. Could have</p> <p>2 been a she.</p> <p>3 Q. The last sentence of that paragraph</p> <p>4 makes reference to your doctor putting you on med</p> <p>5 -- medication. Do you see that allegation?</p> <p>6 A. Yes.</p> <p>7 Q. What doctor are you referring to</p> <p>8 there?</p> <p>9 A. Dr. Frank Munoz.</p> <p>10 Q. What medication?</p> <p>11 A. Restoril.</p> <p>12 Q. And what side effect?</p> <p>13 A. Retrograde amnesia.</p> <p>14 Q. Tell and me about what occurred with</p> <p>15 respect to that side effect.</p> <p>16 A. Okay. To the best of my recollection,</p> <p>17 because given the nature of the side effect being</p> <p>18 amnesia, I don't remember a lot. But I do recall</p> <p>19 that I woke up early in the morning and I went to</p> <p>20 the grocery store for some reason. And I was also</p> <p>21 supposed to take my step 3 exam that day. And I</p> <p>22 recall that my roommate drove me to take that exam.</p> <p>23 I don't remember taking the exam.</p> <p>24 I do remember having some double</p> <p>25 vision and some blurriness in my vision. But the</p>

<p style="text-align: right;">Page 38</p> <p>1 main side effect was retrograde amnesia. I don't 2 recall a lot of what happened. 3 Q. Do you recall that you were driving 4 your car and -- and there was -- and a dent in it 5 that -- on it that you couldn't explain? 6 A. Yeah, I recall that there was a 7 scraping on the bottom of my car, most likely from 8 a curb. And from the parking lot. But, again, I 9 don't remember what happened that day in more 10 detail. 11 Q. And what was the outcome of the exam 12 that you took? 13 A. I failed. 14 Q. And did you have any meetings at the 15 hospital with respect to this incident? 16 A. Yes. With Dr. Swallow. 17 Q. And what was the outcome of those 18 meetings? 19 A. Right after this amnesic episode, 20 Dr. Swallow put me on a medical leave of absence. 21 And I believe on the 14th, I had a follow-up 22 meeting with her to return to service. And it was 23 during that meeting that we discussed my condition 24 and remediation and stuff. 25 So it was a follow-up meeting shortly</p>	<p style="text-align: right;">Page 40</p> <p>1 that was Dr. Britt Marshall. And I also saw a PA, 2 or physician assistant, a Timothy Sullivan during 3 that time, as requested by Dr. Swallow. She had 4 specifically asked that I get seen by someone that 5 worked for the hospital rather than my own 6 physician choosing. 7 Q. Anyone else? Any other medical 8 providers? 9 A. And my therapist, Michelle Batz. 10 Q. Did you return to the medical center 11 after your medical leave? 12 A. Yes. 13 Q. And did your physicians provide any 14 type of certification about your ability to return? 15 A. Under -- I believe that the return to 16 work letters, they were very brief and it just 17 said, fit for duty and able to return to work. 18 Q. Was it your testimony that -- 19 A. And that I would -- 20 Q. -- Dr. Munoz, Marshall, Sullivan, Batz 21 all submitted return to work certifications? 22 A. No. I -- I -- I thought you asked me 23 what was in the return. 24 Q. No. Who submitted return to work 25 certifications following your medical leave in</p>
<p style="text-align: right;">Page 39</p> <p>1 after the event and then a return to service 2 meeting on December 14th, 2017. 3 Q. During that meeting with Dr. Swallow, 4 in conjunction with the medical leave and return, 5 did you have any discussions about accommodations? 6 A. Yes. 7 Q. And what was the nature of those 8 conversations? 9 A. I told Dr. Swallow that I was still 10 struggling, that my health was deteriorating. I 11 was not getting enough sleep. And that was one of 12 the reasons I had been placed on this medication, 13 to try to help the sleep. 14 We also discussed -- I was requested 15 of by Dr. Swallow to make an emergency mental 16 health plan during that meeting. She wanted me to 17 talk about what my disability was and how I would 18 address my disability independently or on my own, 19 and I had to submit that as a requirement to 20 returning to service. 21 Q. And who were your physicians that you 22 were seeing in December of 2017 during your medical 23 leave? 24 A. Aside from Dr. Frank Munoz, who is my 25 psychiatrist, I had a primary care provider, and</p>	<p style="text-align: right;">Page 41</p> <p>1 December of 2017? 2 A. Michelle Bats, Frank Munoz, and 3 Timothy Sullivan. 4 Q. And did those return to work 5 certifications reference any of the accommodations 6 you were seeking? 7 A. No. Those -- those letters were 8 purely just to be able to return to work. They 9 were not to address accommodations. 10 Q. Did you need accommodations in order 11 to return to work? 12 A. I needed accommodations, but those 13 were already being discussed with Dr. Swallow. 14 Those weren't the point of those letters. 15 Q. Okay. Well, returning to work 16 following a medical leave, did you ask your medical 17 providers to address those accommodation requests 18 in that return to work certification? 19 A. No. I did -- I did not see how that 20 -- if the return to work certification -- no. I 21 was already discussing the accommodation with 22 Dr. Swallow. She already had a notification from 23 my psychiatrist. And since Dr. Swallow was still 24 engaging with me in discussions, I reasonably 25 included she was still working on them.</p>



<p style="text-align: right;">Page 42</p> <p>1 Q. Well, you just had a side effect from</p> <p>2 a medication that caused you amnesia, along with</p> <p>3 other reactions; you were placed on a medical</p> <p>4 leave; you're seeking to return to work, yet are</p> <p>5 you telling me you didn't ask your physicians to</p> <p>6 address your accommodations in your return to work?</p> <p>7 MS. LOPEZ: Objection. Asked and</p> <p>8 answered.</p> <p>9 Q. Did you ask your physicians to address</p> <p>10 your need for accommodations in conjunction with</p> <p>11 your return to work after your medical leave?</p> <p>12 MS. LOPEZ: Objection. Asked and</p> <p>13 answered.</p> <p>14 Q. You may answer again.</p> <p>15 A. I was given specific instruction by</p> <p>16 Dr. Swallow to get a letter saying that I was fit</p> <p>17 to return for duty, so I followed those</p> <p>18 instructions and I obtained letters that stated</p> <p>19 exactly that.</p> <p>20 Q. That's not my question.</p> <p>21 Did you ask your physicians to address</p> <p>22 your need for accommodations in your -- in their</p> <p>23 certifications related to your return to work?</p> <p>24 MS. LOPEZ: Objection. Asked and</p> <p>25 answered.</p>	<p style="text-align: right;">Page 44</p> <p>1 Q. You then say, and the on-call resident</p> <p>2 took over.</p> <p>3 Do you see that statement?</p> <p>4 A. Yes.</p> <p>5 Q. And who was that on-call resident?</p> <p>6 A. I'm confident it was Dr. Renuca Rudra,</p> <p>7 but I'm not 100 percent confident.</p> <p>8 Q. Can you spell the name, please?</p> <p>9 A. R-E-N-U-K-A, R-U-D-R-A.</p> <p>10 Q. And, again, I presume you're looking</p> <p>11 at the screen with the exhibit?</p> <p>12 A. Yeah. I just have an external</p> <p>13 monitor.</p> <p>14 Q. Okay. So this setback occurred while</p> <p>15 you were working in your capacity as a resident;</p> <p>16 is that correct?</p> <p>17 A. Yes.</p> <p>18 Q. And describe for me what shift you</p> <p>19 were on.</p> <p>20 A. I was on Hershey Medical Center wards</p> <p>21 or floors, so that's just the internal medicine</p> <p>22 teaching team.</p> <p>23 Q. And what happened while you were on</p> <p>24 the wards on February 24th that led to the on-call</p> <p>25 resident having to take over?</p>
<p style="text-align: right;">Page 43</p> <p>1 Q. You may answer again.</p> <p>2 A. In those letters, no, because both</p> <p>3 myself and my treating providers were under the</p> <p>4 assumption -- you can refer to my treatment notes</p> <p>5 -- that the -- Dr. Swallow was still working on</p> <p>6 accommodations. So if we believe that</p> <p>7 accommodations were being worked on at that time,</p> <p>8 why -- we would not include that in the letter for</p> <p>9 fitness to return to duty.</p> <p>10 Q. In the same paragraph, there is a</p> <p>11 sentence that you had an acute setback on February</p> <p>12 24, 2018. Do you see that reference? We're still</p> <p>13 -- we are on the fourth page, still under -- the</p> <p>14 page starts, feedback, Dr. Swallow placed me on a</p> <p>15 remediation program. That paragraph.</p> <p>16 A. Okay.</p> <p>17 Q. And there's a sentence there, I</p> <p>18 suffered an acute setback on February 24, 2018.</p> <p>19 Do you see that sentence?</p> <p>20 A. Yes.</p> <p>21 Q. Describe the setback that you are</p> <p>22 referencing in this document.</p> <p>23 A. I -- I was experiencing worsening</p> <p>24 depression and anxiety, secondary to chronic</p> <p>25 dysregulation.</p>	<p style="text-align: right;">Page 45</p> <p>1 A. I requested that I -- I be removed</p> <p>2 from service, so I had contacted Dr. Kogut to let</p> <p>3 him know if we could meet, and I -- I let him know</p> <p>4 I wanted to remove myself from service.</p> <p>5 Q. Why did you want to remove yourself</p> <p>6 from service?</p> <p>7 A. Because I was feeling very depressed,</p> <p>8 very anxious. And throughout my time at the</p> <p>9 medical center, I was able to compartmentalize my</p> <p>10 suffering and my chronic dysregulation. But it got</p> <p>11 to a point of being so sleep deprived and</p> <p>12 dysregulated that I -- I no longer felt comfortable</p> <p>13 working.</p> <p>14 And I think that was my turning point</p> <p>15 where I said, well, something has to give. I'm</p> <p>16 still waiting for accommodations. Nothing is being</p> <p>17 implemented. And I no longer feel like I can work</p> <p>18 unaccommodated. So I reached out to Dr. James</p> <p>19 Kogut, so I did a fact -- I'm the one who pulled</p> <p>20 myself out of service that day.</p> <p>21 Q. On February 24th, what time did you</p> <p>22 start service that day?</p> <p>23 A. It would be around 6:30 a.m.</p> <p>24 Q. And at what point in time did you</p> <p>25 suffer the acute setback that led to the on-call</p>

<p style="text-align: right;">Page 46</p> <p>1 resident taking over?</p> <p>2 A. So when -- for depression and anxiety,</p> <p>3 it's not so much that's something like a switch</p> <p>4 that you turn on and off. So, again, this was a</p> <p>5 buildup of chronically suffering and -- and not</p> <p>6 having those accommodations. So it was just -- it</p> <p>7 was worsening, and that was just the turning point</p> <p>8 where I just said enough was enough.</p> <p>9 Q. I'm asking: After you started on --</p> <p>10 at 6:30 a.m., at what point in time did you have</p> <p>11 this setback that led the on call resident to take</p> <p>12 over?</p> <p>13 A. I -- my response was that there was</p> <p>14 not a point in time because it's a continuum. It's</p> <p>15 symptomatology that continued to fluctuated and</p> <p>16 worsens, but there was a point in time where I</p> <p>17 recognized that enough was enough and I wanted to</p> <p>18 remove myself from service. But I think you're --</p> <p>19 you're asking for, like, a -- 7 a.m. I said, oh no,</p> <p>20 this is really bad, but that's not how my</p> <p>21 disability works.</p> <p>22 Q. At some point in time the resident</p> <p>23 took over -- or the on-call resident took over, as</p> <p>24 you set forth in this document. My question is:</p> <p>25 What time did the on-call resident take over?</p>	<p style="text-align: right;">Page 48</p> <p>1 patients?</p> <p>2 A. Yes.</p> <p>3 Q. You make reference in that paragraph</p> <p>4 about a remediation program. Can you describe for</p> <p>5 me the remediation program that you're describing</p> <p>6 -- or that you reference in that paragraph?</p> <p>7 A. The remediation program was the</p> <p>8 program that Dr. Swallow placed me on December</p> <p>9 14th, 2017. And there were a couple components to</p> <p>10 that remediation. One included Dr. Swallow</p> <p>11 reaching out to check in with me frequently.</p> <p>12 Another one included me having a</p> <p>13 couple clinical vignette scenarios with attendings,</p> <p>14 like three or four. I believe three.</p> <p>15 One included having a meeting with</p> <p>16 Dr. Ami Dewaters to review my notes, my patient</p> <p>17 progress notes.</p> <p>18 And another component, another</p> <p>19 remediation included surprise visits from someone</p> <p>20 from the program. They would just come and watch</p> <p>21 me work.</p> <p>22 There might be a couple other things</p> <p>23 that were on that letter, but those are the main</p> <p>24 parts of the remediation program.</p> <p>25 Q. You state that you successfully</p>
<p style="text-align: right;">Page 47</p> <p>1 A. Okay. That -- all right. You asked a</p> <p>2 different question before.</p> <p>3 Q. Well, you had a setback -- you have a</p> <p>4 setback and the on-call resident takes over. So</p> <p>5 what time did the setback occur and what time did</p> <p>6 the on-call resident take over?</p> <p>7 MS. LOPEZ: Objection. Compound</p> <p>8 question.</p> <p>9 Q. Or give me the two separate times.</p> <p>10 A. Sure. So I had the discussion with</p> <p>11 Dr. James Kogut around noon, give or take. And</p> <p>12 after I explained to Dr. Kogut that I wanted to</p> <p>13 remove myself from service because of my worsening</p> <p>14 symptoms, he said that was fine, that would call</p> <p>15 the risk resident. So that's the resident that</p> <p>16 comes to replace another resident should the</p> <p>17 emergency arise, and he asked me to wait in the</p> <p>18 resident conference room until my replacement came.</p> <p>19 So I went -- waited. It -- it wasn't</p> <p>20 a long wait, maybe 30 minutes. And then once she</p> <p>21 was there, then I was dismissed.</p> <p>22 Q. And about what time was that?</p> <p>23 A. Currently after noon, after 1 p.m.</p> <p>24 Q. So during the time period of 6 a.m. to</p> <p>25 12 noon when you called Dr. Kogut, were you seeing</p>	<p style="text-align: right;">Page 49</p> <p>1 completed the remediation. Do you see that</p> <p>2 statement?</p> <p>3 A. Yes.</p> <p>4 Q. What does that mean?</p> <p>5 A. That I fulfilled all my duties and</p> <p>6 requirements for the remediation, attending those</p> <p>7 meetings. And I fulfill my -- my -- my duties as</p> <p>8 part of the remediation. I completed it.</p> <p>9 Q. So -- so did you successfully complete</p> <p>10 that remediation program without any accommodations</p> <p>11 in place?</p> <p>12 A. Yes. But I -- I would note that this</p> <p>13 remediation program was separate from my clinical</p> <p>14 duties. They occurred during the day that I was</p> <p>15 working, but they were not connected in the sense</p> <p>16 of my clinical responsibilities.</p> <p>17 Q. Were you complete -- had you</p> <p>18 successfully completed your clinical duties up</p> <p>19 until February 24, 2018?</p> <p>20 A. Yes.</p> <p>21 Q. And you successfully completed your</p> <p>22 clinical duties without accommodation?</p> <p>23 A. Yes.</p> <p>24 Q. You then make reference to another</p> <p>25 leave of absence; is that correct?</p>

<p style="text-align: right;">Page 50</p> <p>1 A. Yes.</p> <p>2 Q. And when was the leave of absence?</p> <p>3 A. So I -- it started essentially when I</p> <p>4 took myself off of service on February 24th, 2018</p> <p>5 and I -- I believe it was supposed to be for two</p> <p>6 weeks, but ultimately, it kept getting -- kept</p> <p>7 getting extended and extended by the program, even</p> <p>8 though I didn't request it. So basically, from</p> <p>9 February 24th up until my termination.</p> <p>10 Q. Now, at or about the same time, was</p> <p>11 there a mid-year review that all residents were</p> <p>12 completing?</p> <p>13 MS. LOPEZ: Objection. Calls for</p> <p>14 speculation.</p> <p>15 Q. You may answer the question.</p> <p>16 A. Not that I was aware of at the time.</p> <p>17 Q. Were you aware of any mid-year review</p> <p>18 that would take place with respect to your</p> <p>19 first-year residency?</p> <p>20 A. I believe -- I believe I had knowledge</p> <p>21 of a review occurred mid-year, but I didn't have</p> <p>22 any -- was never communicated with me any details</p> <p>23 of that review, who -- who did it, what it was</p> <p>24 composed of. So I really can't answer about that</p> <p>25 review.</p>	<p style="text-align: right;">Page 52</p> <p>1 problems. Do you see that?</p> <p>2 A. Yes.</p> <p>3 Q. And language difficulties?</p> <p>4 A. Yes.</p> <p>5 Q. Does the termination letter reference</p> <p>6 or specifically state there was an issue with</p> <p>7 language difficulties?</p> <p>8 MS. LOPEZ: Objection. Compound</p> <p>9 question and ambiguous.</p> <p>10 Q. Does the termination letter use the</p> <p>11 words language difficulties?</p> <p>12 A. I -- I don't have it listed in quotes</p> <p>13 without, so seeing the letter in front of me, I</p> <p>14 don't want to definitively say if those two words</p> <p>15 were used. But I -- I would assume the</p> <p>16 communication is done via language.</p> <p>17 Q. I'm not asking about your assumptions.</p> <p>18 I'm asking about what is in the letter.</p> <p>19 A. Okay. It might be helpful to pull up</p> <p>20 the letter, but without seeing the letter in front</p> <p>21 of me, I can't tell you such detail.</p> <p>22 Q. And we'll get to that in the</p> <p>23 deposition.</p> <p>24 Turning to the next page. In that</p> <p>25 paragraph, you make a statement about the second</p>
<p style="text-align: right;">Page 51</p> <p>1 Q. You then make reference to a</p> <p>2 termination letter that was dated March 6th, 2018.</p> <p>3 Do you see that?</p> <p>4 A. Said '18. Sorry. I was reading the</p> <p>5 wrong part. Are you talking about the first line</p> <p>6 on March 19th I met with Dr. Swallow?</p> <p>7 Q. Correct.</p> <p>8 A. Okay.</p> <p>9 Q. Did you receive a termination letter</p> <p>10 on March 19th when you met with Dr. Swallow and Dr.</p> <p>11 Ghahramani?</p> <p>12 A. Yes.</p> <p>13 Q. And you referenced certain items that</p> <p>14 are included in that termination letter, don't you?</p> <p>15 A. Yes.</p> <p>16 Q. Was patient safety referenced in the</p> <p>17 termination letter?</p> <p>18 A. I believe so, yes.</p> <p>19 Q. You have in quotes, disappearing</p> <p>20 during shifts. Was that included in the</p> <p>21 termination letter?</p> <p>22 A. Yes. That -- that accusation was in</p> <p>23 the termination letter.</p> <p>24 Q. In the next paragraph, you reference</p> <p>25 that the termination letter stated communications</p>	<p style="text-align: right;">Page 53</p> <p>1 sentence, I believe, Dr. Swallow clearly had a bias</p> <p>2 against me because of my disability.</p> <p>3 Do you see that statement?</p> <p>4 A. Yes.</p> <p>5 Q. What led you to form the belief that</p> <p>6 Dr. Swallow clearly had a bias against you because</p> <p>7 of your disability?</p> <p>8 A. I would say the first event that</p> <p>9 cemented that was when I returned to her office on</p> <p>10 December 14th, 2017 to discuss the amnestic event</p> <p>11 and accommodations, but I was in the same meeting,</p> <p>12 minutes apart, also put on a remediation that</p> <p>13 seemed very punitive. That's -- that was my first</p> <p>14 flag, red flag.</p> <p>15 Q. What led you to connect the</p> <p>16 remediation with a bias because of disability?</p> <p>17 A. The fact that remediation form and the</p> <p>18 mental health form were given to me at the same</p> <p>19 time. They were handed to me at the same time,</p> <p>20 discussed at the same time in the same meeting. It</p> <p>21 was apparent that my disability was being</p> <p>22 interwoven into my clinical performance by</p> <p>23 Dr. Swallow.</p> <p>24 Q. What mental health form are you</p> <p>25 referring to?</p>



<p style="text-align: right;">Page 54</p> <p>1 A. I believe it was titled confidential</p> <p>2 follow-up, and that's the form -- document where</p> <p>3 I'm asked to make a mental health emergency plan</p> <p>4 by Dr. Swallow.</p> <p>5 Q. Did you object to preparing an</p> <p>6 emergency plan?</p> <p>7 A. No. I followed the direction of my</p> <p>8 supervisor.</p> <p>9 Q. And the request for the emergency plan</p> <p>10 followed the event -- the amnesia event, didn't it?</p> <p>11 A. Yes.</p> <p>12 Q. Let me direct your attention to</p> <p>13 Exhibit 2, the federal complaint.</p> <p>14 (Exhibit 2 was marked.)</p> <p>15 BY MS. CONRAD:</p> <p>16 Q. Are you familiar with this document?</p> <p>17 A. Yes.</p> <p>18 Q. I -- I'm sorry. I didn't hear your</p> <p>19 answer.</p> <p>20 A. Yes, I am familiar with this document.</p> <p>21 Q. What is it?</p> <p>22 A. The federal complaint I submitted.</p> <p>23 Q. And are the factual allegations</p> <p>24 contained in this complaint true and correct?</p> <p>25 A. To the best of my knowledge, yes.</p>	<p style="text-align: right;">Page 56</p> <p>1 reporter.)</p> <p>2 BY MS. CONRAD:</p> <p>3 Q. Dr. Salcedo, what, if any, changes</p> <p>4 were you referencing in that prior testimony?</p> <p>5 MS. LOPEZ: Objection. Asked and</p> <p>6 answered.</p> <p>7 Q. You may answer the question.</p> <p>8 A. If -- if you scroll your attention</p> <p>9 down to paragraph 90. So I believe that date,</p> <p>10 February 27th, is actually February 26th.</p> <p>11 Dr. Swallow called my treating psychiatrist after I</p> <p>12 met with her on the 26th. So it was the same day.</p> <p>13 Q. Any other changes?</p> <p>14 A. Not that I see at the moment. That --</p> <p>15 that was the main change.</p> <p>16 Q. I want to direct your attention to</p> <p>17 paragraph 15.</p> <p>18 Paragraph 15, you allege that</p> <p>19 Dr. Swallow was removed as program director</p> <p>20 following Dr. Salcedo's termination.</p> <p>21 What is the basis for your allegation</p> <p>22 that Dr. Swallow was removed?</p> <p>23 A. I believe she changed positions. And</p> <p>24 on -- again, on Google, she was no longer the</p> <p>25 program director after I -- I was terminated,</p>
<p style="text-align: right;">Page 55</p> <p>1 Some things may have changed as more information</p> <p>2 was brought to light during discovery that may need</p> <p>3 -- like specific dates, of that nature. But for</p> <p>4 the most part, to my knowledge, it's accurate and</p> <p>5 true.</p> <p>6 Q. And did you review this complaint to</p> <p>7 verify the factual allegations prior to it being</p> <p>8 filed?</p> <p>9 A. Yes.</p> <p>10 Q. And sitting here today, can you point</p> <p>11 out to me any additions or changes since the filing</p> <p>12 of the complaint?</p> <p>13 MS. LOPEZ: Objection. Ambiguous.</p> <p>14 MS. CONRAD: Well, he just testified</p> <p>15 that there may have been some changes after</p> <p>16 reviewing discovery. I'm asking, what changes, if</p> <p>17 any, he was referencing.</p> <p>18 MS. LOPEZ: What changes he would make</p> <p>19 or what changes he discovered during discovery?</p> <p>20 It's -- it's very unclear what you're asking.</p> <p>21 MS. CONRAD: Okay. Could you go back</p> <p>22 and -- and read his testimony, please, about the</p> <p>23 some things may have changed?</p> <p>24 THE REPORTER: Yes.</p> <p>25 (The record was read back by the court</p>	<p style="text-align: right;">Page 57</p> <p>1 shortly after, the following year.</p> <p>2 Q. Dr. Salcedo, you used the word</p> <p>3 removed. On what do you base your allegation that</p> <p>4 she was removed as program director?</p> <p>5 A. I guess the wording could be changed</p> <p>6 to she was no longer the program director.</p> <p>7 Q. May I direct your attention to</p> <p>8 paragraph 45 of the complaint?</p> <p>9 Paragraph 45, you make reference to</p> <p>10 obligations that were contained in the resident</p> <p>11 agreement. Do you see that reference?</p> <p>12 A. Yes.</p> <p>13 Q. Did the resident agreement provide any</p> <p>14 obligations with respect to you that -- if you were</p> <p>15 obligated to do certain things?</p> <p>16 A. Yes.</p> <p>17 Q. What obligations were required of you</p> <p>18 per the resident agreement?</p> <p>19 A. I believe they -- they included</p> <p>20 fulfilling your clinical duties. There were</p> <p>21 actually quite a few sections, a lot of them were</p> <p>22 administrative, so it would help if we had that</p> <p>23 document. They included, like, disclosing criminal</p> <p>24 -- criminal activity, drug use, things like that.</p> <p>25 So that would be helpful to have that document to</p>

<p style="text-align: right;">Page 58</p> <p>1 actually comment on it.</p> <p>2 Q. We'll get to that later in the day.</p> <p>3 I want to direct your attention now to</p> <p>4 paragraph 47.</p> <p>5 In paragraph 47, you testified that</p> <p>6 you requested reasonable accommodations from the</p> <p>7 three chief residents. Do you see that allegation?</p> <p>8 A. Yes.</p> <p>9 Q. Is it true that you requested those</p> <p>10 accommodations, or is it that the residents made</p> <p>11 suggestion -- the chiefs made suggestions?</p> <p>12 MS. LOPEZ: Objection.</p> <p>13 Mischaracterized testimony.</p> <p>14 A. Those -- those are both accurate</p> <p>15 statements. I requested accommodations and,</p> <p>16 subsequently the chief resident suggested</p> <p>17 accommodations.</p> <p>18 Q. What did the chiefs suggest?</p> <p>19 MS. LOPEZ: Objection. Asked and</p> <p>20 answered.</p> <p>21 Q. You may answer.</p> <p>22 A. The chiefs suggested sit-down rounds,</p> <p>23 a quiet space to work, and being able to establish</p> <p>24 relationship with attending physicians prior to</p> <p>25 rotations.</p>	<p style="text-align: right;">Page 60</p> <p>1 and that I was looking forward to implementing what</p> <p>2 we discussed during the meeting.</p> <p>3 Q. Implement what the chiefs had</p> <p>4 suggested?</p> <p>5 MS. LOPEZ: Objection. Argumentative.</p> <p>6 Q. Were you -- were you looking forward</p> <p>7 to implementing the suggestions from the chiefs?</p> <p>8 A. The suggestions that we discussed and</p> <p>9 agreed upon, I think, was a collaborative</p> <p>10 discussion. But I had just said, implement what he</p> <p>11 had discussed. I didn't use the word --</p> <p>12 Q. I'm asking you what you meant by that.</p> <p>13 Did you mean that you were looking</p> <p>14 forward to implementing the chiefs' suggestions?</p> <p>15 A. Yes.</p> <p>16 Q. Paragraph 48, you state that you</p> <p>17 requested permission for four items. Do you see</p> <p>18 that?</p> <p>19 A. Yes.</p> <p>20 Q. To whom did you make this request?</p> <p>21 A. The chief residents.</p> <p>22 Q. I thought these were the items that</p> <p>23 the chief suggested to you?</p> <p>24 A. Yes, I think they were suggestion that</p> <p>25 were agreed upon. So it was a discussion. It was</p>
<p style="text-align: right;">Page 59</p> <p>1 Q. What did you request?</p> <p>2 A. Again, my intent in that meeting was</p> <p>3 to let the chief residents know that I wanted</p> <p>4 accommodations and to find out what accommodations</p> <p>5 could be offered. So I didn't explicitly request a</p> <p>6 -- a specific accommodation during that meeting.</p> <p>7 Q. Did you use --</p> <p>8 A. (inaudible/overlapping) --</p> <p>9 Q. -- the word, accommodations, in that</p> <p>10 meeting with the chiefs?</p> <p>11 A. Yes.</p> <p>12 Q. Excuse me?</p> <p>13 A. Yes.</p> <p>14 Q. Are there any documents that reflect</p> <p>15 that you said to the chiefs, I am requesting</p> <p>16 accommodations and I need to know what</p> <p>17 accommodations can be offered?</p> <p>18 A. No. That was a conversation.</p> <p>19 Q. Are there documents, including emails,</p> <p>20 following the meeting that you had with the chiefs?</p> <p>21 A. Yes.</p> <p>22 MS. LOPEZ: Objection. Ambiguous.</p> <p>23 Q. What documents?</p> <p>24 A. There's an email following the meeting</p> <p>25 in which, I think, Dr. Kobut for his time and --</p>	<p style="text-align: right;">Page 61</p> <p>1 not a -- a yes, no one-way conversation in the</p> <p>2 sense that he said, well, these are things we can</p> <p>3 do, and I said yes, sit-down rounds would be great,</p> <p>4 meeting with my colleagues in advance would be</p> <p>5 great. So I confirmed, reinforced those</p> <p>6 suggestions so that they were --</p> <p>7 Q. If they had suggested them, why did</p> <p>8 you request permission from them?</p> <p>9 MS. LOPEZ: Objection. Misstates</p> <p>10 testimony.</p> <p>11 Q. Why did you request permission for the</p> <p>12 suggestions that the chiefs had provided to you?</p> <p>13 A. Well, ultimately, they are the ones in</p> <p>14 control of the accommodations and my schedule. So</p> <p>15 if they were going to be implemented, it would be</p> <p>16 through the program leadership, not myself.</p> <p>17 Q. Did you need the chiefs' permission to</p> <p>18 have a quiet space in which to take notes?</p> <p>19 A. To avoid any potential punitive</p> <p>20 actions, I believe so.</p> <p>21 Q. So is the answer to that question yes,</p> <p>22 you needed the chiefs' permission for a quiet space</p> <p>23 in which to take notes?</p> <p>24 A. I needed approval.</p> <p>25 Q. From who?</p>

<p style="text-align: right;">Page 62</p> <p>1 A. The chief residents.</p> <p>2 Q. And so you asked for the chiefs to</p> <p>3 approve a quiet space for you to take notes?</p> <p>4 MS. LOPEZ: Objection. Asked and</p> <p>5 answered.</p> <p>6 ms. Conrad: Well, he's using</p> <p>7 permission, approval. I'm trying to figure out</p> <p>8 what he was seeking and what he -- what information</p> <p>9 he obtained from the chiefs.</p> <p>10 MS. LOPEZ: I think he's provided you</p> <p>11 with an explanation of his conversation of the</p> <p>12 chiefs. If you want him to describe that</p> <p>13 conversation, you know, in some other way, then you</p> <p>14 have to ask the question in a different way. He's</p> <p>15 answered this question.</p> <p>16 BY MS. CONRAD:</p> <p>17 Q. Just so I understand, you asked</p> <p>18 Dr. Kogut, Dr. Beti, and Dr. Marshall for</p> <p>19 permission for a quiet space in which to take</p> <p>20 notes; is that correct?</p> <p>21 A. I discussed with them the potential</p> <p>22 accommodation, such as having a quiet place to take</p> <p>23 notes. But I didn't exact -- I didn't specifically</p> <p>24 use the words, may I have a quiet space to -- in</p> <p>25 which to take notes, if that's what you're trying</p>	<p style="text-align: right;">Page 64</p> <p>1 Q. And what was their response?</p> <p>2 MS. LOPEZ: Objection. Asked and</p> <p>3 answered.</p> <p>4 Q. You may answer.</p> <p>5 A. They were amenable to -- to the</p> <p>6 request.</p> <p>7 Q. What does that mean?</p> <p>8 A. They didn't see it -- the request as</p> <p>9 being problematic and that it would be helpful. I</p> <p>10 left that meeting --</p> <p>11 Q. Sir, did you go forward with these</p> <p>12 four suggestions from the chief?</p> <p>13 A. I followed up, but ultimately, those</p> <p>14 -- those needed to be implemented from leadership,</p> <p>15 not me. I don't have that power to put</p> <p>16 accommodations into place.</p> <p>17 Q. Did you have the power to find a quiet</p> <p>18 space in which to take notes?</p> <p>19 MS. LOPEZ: Objection. Ambiguous.</p> <p>20 And, also, asked and answered.</p> <p>21 MS. CONRAD: No, I'm using his exact</p> <p>22 words to ask a new question.</p> <p>23 Q. Did you have the power to find a quiet</p> <p>24 space in which to take notes?</p> <p>25 MS. LOPEZ: Objection. Asked and</p>
<p style="text-align: right;">Page 63</p> <p>1 to infer.</p> <p>2 Q. Dr. Salcedo, I'm trying to find out</p> <p>3 whether or not paragraph 48 is a true statement or</p> <p>4 -- or not.</p> <p>5 A. Yeah, it's a true statement. I</p> <p>6 requested these things after having the discussion</p> <p>7 with the chief residents, the permission where it</p> <p>8 may make it vague, but nonetheless is an accurate</p> <p>9 statement.</p> <p>10 Q. Did you or did you not ask for</p> <p>11 permission --</p> <p>12 MS. LOPEZ: Objection --</p> <p>13 Q. -- from -- permission from these four</p> <p>14 items?</p> <p>15 MS. LOPEZ: Objection. Asked and</p> <p>16 answered. He just explained what --</p> <p>17 MS. LOPEZ: He hasn't answered the</p> <p>18 question.</p> <p>19 MS. LOPEZ: -- permission means to</p> <p>20 him. He just explained what permission means.</p> <p>21 Multiple times.</p> <p>22 BY MS. CONRAD:</p> <p>23 Q. You asked for approval from them? Is</p> <p>24 that your testimony?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 65</p> <p>1 answered. He's already testified, counsel, that</p> <p>2 he's not in charge of the accommodations, that the</p> <p>3 chiefs are the ones who are making decisions and</p> <p>4 that he was concerned that there could be some sort</p> <p>5 of ramification. He's testified about this</p> <p>6 broadly.</p> <p>7 MS. CONRAD: I'm asking a different</p> <p>8 question.</p> <p>9 BY MS. CONRAD:</p> <p>10 Q. Did you have the power to find a quiet</p> <p>11 space in which to take notes?</p> <p>12 MS. LOPEZ: Objection. Ambiguous.</p> <p>13 Q. You may answer the question.</p> <p>14 A. As I needed accommodation, no, I did</p> <p>15 not have the power.</p> <p>16 Q. You did not have the power to find a</p> <p>17 quiet space to have notes?</p> <p>18 A. As a designated accommodation.</p> <p>19 Q. I'm not asking about an accommodation,</p> <p>20 because the chiefs will talk about, in their</p> <p>21 depositions, what took place in this meeting. I am</p> <p>22 asking a separate question.</p> <p>23 Did you have the power to find a quiet</p> <p>24 space in which to take notes?</p> <p>25 MS. LOPEZ: Objection. Ambiguous.</p>

<p style="text-align: right;">Page 66</p> <p>1 What do you mean by power?</p> <p>2 MS. CONRAD: He -- it's his word. So</p> <p>3 he can answer the question.</p> <p>4 THE WITNESS: So I don't have the</p> <p>5 power to have listed as an accommodation a quiet</p> <p>6 space in which to take notes so that I don't -- I</p> <p>7 am not punished in the future. I don't have that</p> <p>8 power.</p> <p>9 Q. Dr. Salcedo, I am not asking you about</p> <p>10 accommodations. Let me ask you it -- it</p> <p>11 differently.</p> <p>12 A. I'm sorry. You are. You're asking</p> <p>13 about the quiet space to which to take notes.</p> <p>14 That's an accommodation.</p> <p>15 Q. Dr. Salcedo, did you have the ability</p> <p>16 to find a quiet space in which to take notes?</p> <p>17 MS. LOPEZ: Objection. Asked and</p> <p>18 answered.</p> <p>19 MS. CONRAD: It's a different</p> <p>20 question.</p> <p>21 MS. LOPEZ: This was asked a long time</p> <p>22 ago. Ten minutes ago.</p> <p>23 BY MS. CONRAD:</p> <p>24 Q. Dr. Salcedo, you may answer the</p> <p>25 question.</p>	<p style="text-align: right;">Page 68</p> <p>1 year of residency, were you able to find a quiet</p> <p>2 space in which to take notes?</p> <p>3 MS. LOPEZ: Calls for speculation.</p> <p>4 MS. CONRAD: He --</p> <p>5 Q. Dr. Salcedo, please answer the</p> <p>6 question, even if you have to speculate.</p> <p>7 A. I don't want to speculate. And I</p> <p>8 don't really understand the question. I feel like</p> <p>9 I answered it multiple times and multiple ways.</p> <p>10 That -- I'm just confused now.</p> <p>11 Q. Okay. Here's a simple question.</p> <p>12 At any time during your residency, did</p> <p>13 you find a quiet space to take notes?</p> <p>14 A. During my residency, it was customary</p> <p>15 for everyone to work together in a work group. And</p> <p>16 that's where I would work.</p> <p>17 Q. So is the answer to the question you</p> <p>18 could not find a quiet space to take notes?</p> <p>19 A. No. The answer is that because I did</p> <p>20 not have approval from leadership to do so, I did</p> <p>21 not just disappear from my team. I stuck with the</p> <p>22 team in the work group.</p> <p>23 Q. I'm not asking about disappearing.</p> <p>24 Is -- did you need approval to go to a</p> <p>25 quiet space to take notes?</p>
<p style="text-align: right;">Page 67</p> <p>1 A. I did not have the power to find a</p> <p>2 quiet space in which to take notes without</p> <p>3 guarantee, without having penalization or being</p> <p>4 sure I wouldn't be penalized for it. I think</p> <p>5 that's important distinction. It sounds like</p> <p>6 you're trying to infer that I could just grab a</p> <p>7 random empty room and started taking notes. That</p> <p>8 would not have been an accommodation.</p> <p>9 Q. I'm not asking about accommodations.</p> <p>10 I'm asking about note-taking.</p> <p>11 Is it your testimony you were not in a</p> <p>12 position to find a quiet space in which to take</p> <p>13 notes?</p> <p>14 MS. LOPEZ: Asked and answered.</p> <p>15 MS. CONRAD: I'm not asking about</p> <p>16 power. I'm not asking about ability.</p> <p>17 MS. LOPEZ: You asked if he --</p> <p>18 MS. CONRAD: Let me ask the -- a new</p> <p>19 question.</p> <p>20 BY MS. CONRAD:</p> <p>21 Q. During your residency, were you able</p> <p>22 to find a quiet space in which to take notes?</p> <p>23 MS. LOPEZ: Objection. Ambiguous.</p> <p>24 What time period are you talking about?</p> <p>25 Q. At any point in time during your first</p>	<p style="text-align: right;">Page 69</p> <p>1 MS. LOPEZ: Asked and answered. You</p> <p>2 can answer if you can.</p> <p>3 A. To ensure no negative consequences,</p> <p>4 yes, I did need approval for -- for -- to be able</p> <p>5 to go somewhere in a quiet space away from the</p> <p>6 team. If I did so without approval, I would risk</p> <p>7 ramifications.</p> <p>8 Q. Did you ever have time to work on</p> <p>9 charts or notes by yourself or were you always with</p> <p>10 a team?</p> <p>11 MS. LOPEZ: Objection. Vague.</p> <p>12 A. I was usually with the team in -- in</p> <p>13 the team room where we took notes. Also, I can't</p> <p>14 really take notes anywhere. The computer with the</p> <p>15 MR system, they're a computer in designated areas,</p> <p>16 so those are the work areas.</p> <p>17 Q. During your residency, did you meet</p> <p>18 with colleagues in advance as described in 48B?</p> <p>19 A. To the best of my ability, I -- I</p> <p>20 tried to meet with some of them beforehand,</p> <p>21 especially attendings that I had already</p> <p>22 established a relationship with and that I felt</p> <p>23 comfortable sharing and disclosing with. And that</p> <p>24 I didn't think I would be penalized or stigmatized</p> <p>25 by sharing.</p>

<p style="text-align: right;">Page 70</p> <p>1 Q. And did you request to meet with 2 colleagues in advance? 3 A. Are we still talking about the August 4 25th meeting or in general? 5 Q. I'm talking about your allegation in 6 48B. 7 A. Yes. 8 Q. Did you request to meet with 9 colleagues in advance? 10 A. Yes. 11 Q. And did you meet with them in advance? 12 MS. LOPEZ: Objection. Vague. 13 Q. Dr. Salcedo, you just said that you 14 requested to meet with colleagues in advance. Do I 15 have that right? 16 A. Yes. 17 Q. And the follow-up question is: After 18 you made that request, did you meet with them in 19 advance? 20 A. When I was able to. But it was not in 21 the form of an accommodation; it was a form of me 22 taking additional risk of disclosing my condition 23 and my need to various colleagues and leaders. 24 Q. Did you engage in sit -- were you able 25 to sit during rounds?</p>	<p style="text-align: right;">Page 72</p> <p>1 was a follow-up email. There actually was not a 2 meeting; there was a follow-up email. 3 Q. And what information was contained in 4 the follow-up email? 5 A. It was just me being polite, 6 expressing gratitude for their time and saying that 7 I was looking forward to implementing all of the 8 things we discussed during our meetings, such as 9 what we already talked about here today, the 10 sit-down rounds, quiet space to work, meeting 11 colleagues and attendings beforehand, and setting 12 expectations. 13 Q. Paragraph 54, you allege you went to 14 your treating psychiatrist and secured a written 15 letter. Do you see that allegation? 16 A. Yes. 17 Q. What do you mean by the word you 18 secured a written letter? 19 A. I obtained. 20 Q. And two specific requests. Do you see 21 that? 22 A. Yes. 23 Q. Did you make those requests to 24 Dr. Munoz? 25 A. So when I met with Dr. Munoz, we had</p>
<p style="text-align: right;">Page 71</p> <p>1 A. It depended on the attending's 2 preference. But I do recall one particular 3 attending that I did disclose to and we did utilize 4 sit-down rounds. 5 Q. And did you meet with your healthcare 6 provider monthly? 7 A. Yes. 8 Q. You then state in paragraph 50 that on 9 august 19th, you contacted the medical center human 10 resource office and requested the paperwork. Do 11 you see that? 12 A. Yes. 13 Q. Did you provide that paperwork to the 14 chief residents whom you had met with about these 15 specific requests -- suggestions? 16 A. No. 17 Q. Paragraph 53, you make reference to 18 meeting with Dr. Kogut to discussion your previous 19 requests for accommodation. Do you see that 20 allegation? 21 A. Yes. 22 Q. Tell me about what happened in that 23 meeting with Dr. Kogut. 24 A. And so this number 53 is also an item 25 that we would need to date. It should be -- there</p>	<p style="text-align: right;">Page 73</p> <p>1 -- again, it was an interactive discussion. And we 2 discussed what my triggers were and what would be 3 best accommodation-wise to help me with my 4 disability. And we ultimately decided on -- on 5 these two -- two, but these were -- these two 6 items, but these -- the wording of these two items 7 are his words, not mine. 8 Q. Who decided on these two specific 9 requests? 10 MS. LOPEZ: Objection. Asked and 11 answered. 12 A. We both did. 13 Q. You may answer. 14 A. It's an interactive process of 15 discussion with my treatment provider, and these 16 are the two items that we ultimately agreed upon. 17 But he actually wrote this letter and those are his 18 words. 19 Q. Understood. 20 What is meant by less stressful 21 rotation When's possible? 22 MS. LOPEZ: Objection. Calls for 23 speculation. 24 Q. Dr. Salcedo, you just decided that 25 both you and Dr. Munoz decided on these two</p>



<p style="text-align: right;">Page 74</p> <p>1 specific requests for accommodations.  2 So my question is: What did you mean  3 by less stressful rotations when possible?  4 A. So in that statement, the intent was  5 to convey the need for rotations, if possible, that  6 weren't erratic and that were more structured in  7 the sense of hour-wise, duty-wise, predictability,  8 rather than having a random shift on a weekend day  9 and -- and it just being random, or working 80  10 hours a week overnight rather than during the day.  11 So that statement is to address the predictability  12 and the consistency of my schedule.  13 Q. What rotation, if any, were you being  14 -- were -- were you seeking to be excused from any  15 specific rotations?  16 A. I wouldn't say I was seeking to be  17 excused from specific rotations I could name, but I  18 did ask to be considered for rotations that, again,  19 had more predictable schedules and that would allow  20 me to have self-care that I needed.  21 Q. So what rotations were you seeking?  22 MS. LOPEZ: Objection. Asked  23 answered.  24 Q. What specific rotations were you  25 seeking?</p>	<p style="text-align: right;">Page 76</p> <p>1 preliminary intern, my requirements were less  2 stringent and more modifiable than a regular  3 internal medicine resident.  4 So I recall that I had printed out an  5 ACGME form that showed what the minimum  6 requirements for myself, as a PGY-1 preliminary  7 intern was, and shared that with Dr. Swallow to  8 demonstrate that there was flexibility in my  9 schedule, because it showed that I did not need as  10 many of certain types of rotations. So there was  11 more room to accommodate and modify the schedule.  12 Q. What certain types of rotations did  13 you conclude were not needed?  14 MS. LOPEZ: Objection. That -- that  15 misstates the testimony. That's not what we said.  16 BY MS. CONRAD:  17 Q. I believe you said, and I tried to  18 write it down, that you did not need certain types  19 of rotations. Is that correct, Dr. Salcedo?  20 A. No. Let me rephrase to the -- the  21 amount, quantity of the types of rotations was  22 different. So perhaps a regular PGY-1 might need  23 six months of floors, while a PGY-1 -- oh, I don't  24 want you -- these are hypotheticals, so never mind  25 -- I don't want you to quote me.</p>
<p style="text-align: right;">Page 75</p> <p>1 A. Again, I -- I don't have a name for  2 the rotation being that I was just starting there.  3 I don't know what the rotations were like or which  4 are the less stressful rotations. Those are  5 something that my program director or leadership  6 would have to engage in a discussion with me to  7 discuss. So that this is to initiate that  8 discussion so we can find out what those rotations  9 are.  10 But the point here is, what are those  11 rotations and if I can be assigned to them.  12 Q. Were certain rotations required as  13 part of your first-year residency program?  14 MS. LOPEZ: Objection. Calls for  15 speculation and ambiguous.  16 MS. CONRAD: It does not. He receives  17 information about what's required.  18 Q. Were there certain rotations required  19 during that first-year program?  20 A. Yes.  21 Q. What were those rotations that were  22 required?  23 A. There -- there's a document we have  24 that has what the requirements are. I can only  25 comment on the fact that because I was a</p>	<p style="text-align: right;">Page 77</p> <p>1 They were just less rigorous. The --  2 the requirements were less rigorous and there was  3 more flexibility in the schedule and in  4 Dr. Swallow's ability to accommodate me. So the  5 whole point of me bringing that up to her and  6 giving her documentation was to remind her and let  7 her know. It was, again, another ask for help.  8 Q. Number 2 says, assignments to  9 rotations which allow for adequate sleep and time  10 off on weekend when possible.  11 Do you see that?  12 A. Yes.  13 Q. What rotations were you seeking that  14 allowed for adequate time -- adequate sleep and  15 time off on weekend?  16 A. It's almost as though you asked --  17 that question you just asked me is essentially what  18 we're asking Dr. Swallow: What are the options?  19 What are the rotations that can allow me to sleep  20 better? You're the program director. Please  21 inform us and let us know what can be done.  22 So this statement is asking for that.  23 But as an intern and as a psychiatrist, we don't  24 know that information. That's why we're seeking  25 Dr. Swallow's help.</p>

<p style="text-align: right;">Page 78</p> <p>1 Q. Did you know whether or not such</p> <p>2 requests were available --</p> <p>3 MS. LOPEZ: Objection --</p> <p>4 Q. -- in conjunction with the</p> <p>5 requirements of your program?</p> <p>6 MS. LOPEZ: Objection. Asked and</p> <p>7 answered.</p> <p>8 Q. You can answer.</p> <p>9 A. You said if I was aware that such</p> <p>10 requests were available. I don't -- I don't</p> <p>11 understand.</p> <p>12 Q. You had certain program requirements,</p> <p>13 didn't you?</p> <p>14 A. Yes.</p> <p>15 Q. Do you know whether there was the type</p> <p>16 of flexibility and less rigor within those program</p> <p>17 requirements that you were seeking?</p> <p>18 MS. LOPEZ: Objection. Asked and</p> <p>19 answered.</p> <p>20 Q. You can answer again.</p> <p>21 A. Yes, I -- that was -- that was the</p> <p>22 whole intent of showing that, even though I'm</p> <p>23 assuming -- or, I mean, I would assume that the</p> <p>24 program director should have knowledge of that. Me</p> <p>25 giving her the documentation from ACGME was just to</p>	<p style="text-align: right;">Page 80</p> <p>1 the question, that is permissible. Please follow</p> <p>2 the Rules of Civil Procedure.</p> <p>3 MS. LOPEZ: And I am following the</p> <p>4 Rules of Civil Procedure. And the objections</p> <p>5 provided for include asked and answered, ambiguous,</p> <p>6 calls for speculation, and misstates testimony, as</p> <p>7 well as compound questions, and you are asking the</p> <p>8 same question over and over and over again.</p> <p>9 MS. CONRAD: Attorney Lopez, this is a</p> <p>10 deposition. We are not at trial. At deposition,</p> <p>11 there is one objection, to the form of the</p> <p>12 question, and perhaps an objection with related to</p> <p>13 privileged material.</p> <p>14 MS. LOPEZ: Well --</p> <p>15 MS. CONRAD: Now, let's go on with the</p> <p>16 deposition and save your objections for trial.</p> <p>17 MS. LOPEZ: You're -- you know, what</p> <p>18 you need to know is that it is required and</p> <p>19 actually appropriate to state what the form of the</p> <p>20 question objection is so that you have an</p> <p>21 opportunity to cure the question. I'm not leading</p> <p>22 the -- the witness. I'm not, you know, giving any</p> <p>23 kind of additional hints. I am providing an</p> <p>24 objection so you can rephrase the question or</p> <p>25 understand why I believe there's a problem with the</p>
<p style="text-align: right;">Page 79</p> <p>1 reinforce that those options were there.</p> <p>2 Q. I'm not asking about what the program</p> <p>3 director had in her possession. I'm asking about</p> <p>4 whether or not you had knowledge and information</p> <p>5 that certain accommodations could be met while</p> <p>6 still meeting the program requirements?</p> <p>7 MS. LOPEZ: Objection. Asked and</p> <p>8 answered.</p> <p>9 MS. CONRAD: He can simply answer yes</p> <p>10 or no.</p> <p>11 A. Can you repeat the question?</p> <p>12 Q. Do you know whether you would be in a</p> <p>13 position to complete the program requirements in</p> <p>14 conjunction with these two specific requests that</p> <p>15 are listed in paragraph 54?</p> <p>16 MS. LOPEZ: Objection. Calls for</p> <p>17 speculation.</p> <p>18 MS. CONRAD: Counsel, I'm going to</p> <p>19 note for the record that you are engaging in a</p> <p>20 series of objections that are not consistent with</p> <p>21 what is provided in the Rules of Civil Procedure.</p> <p>22 And I consider such objections to be disruptive,</p> <p>23 wasting time, and not appropriate for this</p> <p>24 deposition.</p> <p>25 If you want to object to the form of</p>	<p style="text-align: right;">Page 81</p> <p>1 question. It's completely appropriate.</p> <p>2 MS. CONRAD: You can just object to</p> <p>3 the form of the question. I don't need the</p> <p>4 additional information.</p> <p>5 MS. LOPEZ: I --</p> <p>6 BY MS. CONRAD:</p> <p>7 Q. Dr. Salcedo, can you --</p> <p>8 MS. LOPEZ: I need to put it on the</p> <p>9 record.</p> <p>10 Q. Dr. Salcedo, do you know whether or</p> <p>11 not these two specific requests for accommodation</p> <p>12 were possible while still meeting the program</p> <p>13 requirements?</p> <p>14 A. To the best of my knowledge, yes.</p> <p>15 Q. In paragraph 55, you allege that you</p> <p>16 gave Dr. Swallow the accommodation letter from</p> <p>17 Dr. Munoz. Do you see that allegation?</p> <p>18 A. Yes.</p> <p>19 Q. What did Dr. Swallow do with that</p> <p>20 accommodation letter, if you know?</p> <p>21 A. Sure. So I did give her the</p> <p>22 accommodation letter along with the accommodation</p> <p>23 request form. So I gave her two items at the same</p> <p>24 time. She read them over and she said, okay. And</p> <p>25 she also stated that it would be much easier and</p>

<p style="text-align: right;">Page 82</p> <p>1 quicker to implement the accommodations through 2 her, so there was no need to continue with this 3 form. 4 And then she gave me back both the -- 5 the request from my provider and the partially 6 filled out accommodation request form. So she gave 7 them back to me during the meeting. She didn't 8 need them, she said. 9 Q. Paragraph 59, you allege that you 10 emailed Dr. Swallow to request a meeting to discuss 11 his request -- requested accommodations. Do you 12 see that allegation? 13 A. Yes. 14 Q. What do you recall from that email? 15 A. I -- I recall that I sent that email 16 to Dr. Swallow to let her know that I was still 17 waiting for accommodations. It -- it was a short 18 email, but it was just another check-in to 19 essentially say, hey, I'm still here and, hey, I 20 haven't been accommodated. 21 Q. Did -- did you use the word 22 accommodations -- 23 A. I -- 24 Q. -- in that email? 25 A. -- didn't use that exact word,</p>	<p style="text-align: right;">Page 84</p> <p>1 rotation and the point of time. 2 Q. Paragraph 63, you make reference to 3 the December 2017 incident. And you use the words 4 that you experienced side effects that impaired him 5 temporarily. Do you see that? 6 A. Yes. 7 Q. Other than what you described, were 8 you impaired in any other way as a result of the 9 sleep aid? 10 A. No. My -- my symptomologist repeat 11 the -- the symptomatology was the retrograde 12 amnesia, so not recalling the generalized 13 confusion, the double vision, and kind of the 14 visual blurriness. And not really recalling things 15 exactly or knowing something was really there. 16 But that's -- secondary to the amnesia, that was 17 the main symptom profile. 18 Q. Would those impairments impact your 19 ability to carry out your job duties as a resident? 20 A. Had they occurred during duty hours, 21 yes. Fortunately, this event occurred during my 22 own time, off hospital time. 23 Q. In paragraph 67, you alleged that 24 following the December incident, Michelle Batz 25 released you to return to full duty. Do you see</p>
<p style="text-align: right;">Page 83</p> <p>1 accommodation, no. 2 Q. I'm sorry. I missed that. Say that 3 again, please? 4 A. I said, I didn't use the exact word 5 accommodation. I believe I said something along 6 the lines of any of the things we had discussed or 7 implemented, any of the items we -- we discussed. 8 Q. In paragraph 60, you make reference to 9 being scheduled 78 -- 78 to 80 or more hours per 10 week. Do you see that? 11 A. Yes. 12 Q. What was -- do you know what the 13 typical amount of hours to be scheduled for a 14 resident in your position? 15 MS. LOPEZ: Objection. Calls for 16 speculation. 17 Q. Do you know, is the question. Yes or 18 no? 19 A. It's a difficult question to answer 20 only because no one resident's schedule is the same 21 at the same time. So you could have residents that 22 are working more hours than others. So I could do 23 -- a point in time, I could be working closer to 24 80, and if you did another point in time, I could 25 be working 70 or 60. So it depended on the</p>	<p style="text-align: right;">Page 85</p> <p>1 that? 2 A. Yes. 3 Q. And that Dr. Munoz indicated you were 4 fit for duty and could return to full-duty work. 5 Do you see that? 6 A. Yes. 7 Q. And 69, you -- into 70, that Timothy 8 Sullivan found that you were stable and able to 9 return to work without any specific restrictions; 10 is that correct? 11 A. Yes. 12 Q. Paragraph 77, you allege that 13 Dr. Salcedo, on December 14, 2017, told you that 14 your performance feedback was positive up until 15 that point. Do you see that allegation? 16 A. Yes. 17 Q. Now, up until December 14th, had you 18 been receiving or were you being evaluated in 19 conjunction with the performance of your job duties 20 and responsibilities? 21 A. Yes. 22 Q. Did you review those evaluations? 23 A. Yes. 24 Q. Were there any areas of concern that 25 were raised in those evaluations?</p>



<p style="text-align: right;">Page 86</p> <p>1 A. There weren't any areas of concern  2 noted in those evaluations. There were suggestion  3 for improvement in the free text comment section.  4 So the way that the scoring worked was it was like  5 a one to five numerical score. So if there was a  6 concern, you would put a little deficiencies score.  7 And, in fact, I actually received  8 higher than average scores for a majority of my  9 rotations or average. There were suggestions for  10 improvement, but that was standard in the feedbacks  11 comment.  12 Q. Paragraph 78, you indicate that  13 Dr. Swallow informed you that the remediation plan  14 was not punitive. Do you see that?  15 A. Yes.  16 Q. Did you understand the purpose of the  17 remediation plan?  18 A. Yes.  19 Q. What was that -- the purpose of the  20 plan?  21 A. The intended purpose was to give extra  22 help to a resident. But if -- remediation plan is  23 a -- is a little odd in that there wasn't really,  24 like, a systematic performance improvement plan to  25 help me, per se. It was more of a opportunity to</p>	<p style="text-align: right;">Page 88</p> <p>1 to be talking about, but we should just talk about  2 you, your struggles, how it is impacting to  3 residency life.  4 So the entire meeting was almost like  5 a session; it felt like a therapy session, but it  6 essentially was just discussion of my disability,  7 how I was adapting, how I was coping, and that's  8 listed as a remediation meeting.  9 Q. Was that the only component of the  10 remediation plan, that meeting with Dr. Gonzalo?  11 A. There was -- there were two other  12 meetings that went over kind of a question patient.  13 So the -- the doctor would provide me a patient  14 with symptoms and then kind of follow through with  15 the work-up.  16 And then there's a -- there was  17 another meeting with Dr. Ami Dewaters in which she  18 reviewed two of my progress notes that I had  19 written for patients, and that seemed to have go --  20 gone well. She said my notes were -- were good and  21 they were on par with my peers.  22 Q. Any other components of the  23 remediation plan?  24 A. There was a component of Dr. Swallow  25 checking in with me. She was supposed to set up</p>
<p style="text-align: right;">Page 87</p> <p>1 watch me and evaluate me. So not so much grow and  2 learn, but rather to be critiqued. So it was a  3 very odd remediation.  4 Q. Well, did you have opportunities to  5 learn as part of the remediation plan?  6 A. For the most part, I would say no,  7 because I felt like I was kind of on the hot seat,  8 being quizzed. You know, I got these -- where  9 basically they were evaluating me, so they were  10 evaluations.  11 And so part of the remediation plan  12 was actually just focused on my disability. So it  13 was very -- again, it was a very odd remediation  14 plan, because a component of it was just discussing  15 my disability and how it was impacting me.  16 Q. I'm sorry. I missed that. Did you  17 say the remediation plan was discussing your  18 disability?  19 A. Yes, part of it.  20 Q. Where was that addressed in the  21 remediation plan?  22 A. I had a meeting around February 9th,  23 2018 with Dr. Jed Gonzalo. And he had said,  24 honestly, I was told about this meeting a few hours  25 ago, which I don't really know what we're supposed</p>	<p style="text-align: right;">Page 89</p> <p>1 meetings. I remember I followed up to ask her how  2 it would be set up, but she never initiated those  3 meetings or fulfilled her obligation on that end.  4 There was also a case workbook. There  5 was, like, a book of clinical vignettes that I  6 completed and I left on Dr. Swallow's mailbox. No  7 one ever reviewed them with me, no one ever  8 discussed them or asked about it, so I just  9 completed the book and returned it.  10 And there was also a practice OSPE  11 sesh -- sesh -- practice OSCE session, which is  12 like an objective standardized performance  13 evaluation in which the chief residents watched me,  14 again, do a clinical vignette, but on a -- an actor  15 patient.  16 Q. And did you receive feedback during  17 those meetings?  18 A. Some of them, yes; some of them, no.  19 But the feedback was more on -- so I'll break down  20 each case. So the note-taking with Dr. Ami  21 Dewaters. She said my notes were good. They were  22 on par with my peers.  23 The OSCE patient component, I never  24 heard any feedback. No one ever followed up with  25 that. Dr. Swallow never gave me feedback. No one</p>

<p style="text-align: right;">Page 90</p> <p>1 ever discussed the book with me.</p> <p>2 And the two meetings -- then there was</p> <p>3 the meeting with Dr. Jed Gonzalo, which there was</p> <p>4 not really any feedback, except keep trying hard</p> <p>5 and good job for being proactive and being strong,</p> <p>6 because that -- that meeting -- the remediation</p> <p>7 meeting was just me talking about my disability and</p> <p>8 my struggles.</p> <p>9 So the only real feedback I got were</p> <p>10 from the two 45-minute sections, which basically</p> <p>11 kind of went over my thinking and my work-up of</p> <p>12 patients. Aside from that, there really was not</p> <p>13 any learning or feedback involved in the</p> <p>14 remediation plan, unfortunately.</p> <p>15 Q. Now, following the December incident,</p> <p>16 there was another incident in February that you</p> <p>17 referenced in paragraph 84. So let me direct your</p> <p>18 attention to paragraph 84.</p> <p>19 You make reference to a February 23rd,</p> <p>20 2018 incident in which you had to leave the</p> <p>21 hospital because of a reaction to the depression</p> <p>22 and anxiety. And that you had to leave before your</p> <p>23 shift was completed. Do you see that in paragraph</p> <p>24 84?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 92</p> <p>1 Q. But did you or did you not use the</p> <p>2 word accommodation in your meeting with Dr. Kogut</p> <p>3 On February 24, 2018?</p> <p>4 A. No.</p> <p>5 Q. So paragraph 85 of the complaint is</p> <p>6 not true and accurate?</p> <p>7 A. It is accurate, but you're asking for</p> <p>8 a specific word. And 85 is describing a</p> <p>9 conversation, a situation that occurred. So</p> <p>10 although the word accommodation was not said, we</p> <p>11 did discuss the need for accommodation. You don't</p> <p>12 have to say the word accommodation to know you're</p> <p>13 discussing them or discussing ways to help a</p> <p>14 struggling learner.</p> <p>15 So, yeah, we didn't use the word</p> <p>16 accommodation, but we did discuss that I was</p> <p>17 working a lot of hours and sleep was deregulated.</p> <p>18 I wasn't getting enough sleep. And basically what</p> <p>19 I needed was more sleep. And that was the</p> <p>20 discussion. So --</p> <p>21 Q. Was it true or not that you met with</p> <p>22 Dr. Kogut to discuss your need for accommodation?</p> <p>23 MS. LOPEZ: Objection. Asked and</p> <p>24 answered.</p> <p>25 Q. You said you didn't use the word</p>
<p style="text-align: right;">Page 91</p> <p>1 Q. Okay. Other than what we've already</p> <p>2 described about that incident, do you have any</p> <p>3 further information related to it?</p> <p>4 A. Yes, I would -- I would like to</p> <p>5 clarify that. Again, it was a -- I realized after</p> <p>6 discovery that the days in the sequence, so that me</p> <p>7 leaving my shift occurred on the 24th. That's</p> <p>8 after I removed myself and reached out to</p> <p>9 Dr. Kogut. So that was not on the 23rd of 2018.</p> <p>10 Q. And then on paragraph 85, you allege</p> <p>11 that you met with Dr. Kogut, correct?</p> <p>12 A. Yes.</p> <p>13 Q. And did you inform him about the</p> <p>14 negative impact of working so many hours on your</p> <p>15 ability to cope with depression and anxiety?</p> <p>16 A. Yes.</p> <p>17 Q. And did you tell Dr. Kogut that you</p> <p>18 needed accommodation?</p> <p>19 A. During that -- that meeting on the</p> <p>20 24th of February, I didn't use made any -- use the</p> <p>21 word accommodation. I -- but I did say --</p> <p>22 indicated that because I wasn't accommodated, I</p> <p>23 wasn't sleeping well, I wasn't getting the amount</p> <p>24 of sleep I needed, and that was impacting my</p> <p>25 health.</p>	<p style="text-align: right;">Page 93</p> <p>1 accommodation. So what word did you use to relate</p> <p>2 your need for accommodation?</p> <p>3 A. I relayed my need for accommodation by</p> <p>4 describing my worsening health and that I knew it</p> <p>5 was attributed to poor sleep.</p> <p>6 Q. So you wanted Dr. Kogut to conclude</p> <p>7 from your expression that your health was worsening</p> <p>8 and you needed sleep that you needed an</p> <p>9 accommodation?</p> <p>10 A. I No, I didn't want him to conclude</p> <p>11 that, per se, although reasonably, a medical</p> <p>12 professional would have understood that. The point</p> <p>13 of me reaching out to him was to let him know. At</p> <p>14 that point, my focus was removing myself from</p> <p>15 service.</p> <p>16 It wasn't, again, for the fourth or</p> <p>17 fifth time, to request accommodations, but to let</p> <p>18 him know, I'm struggling and I'm removing myself</p> <p>19 from service. That was the primary purpose of that</p> <p>20 discussion on February 24th.</p> <p>21 Q. Okay. So then you did not discuss</p> <p>22 with Dr. Kogut your need for accommodation?</p> <p>23 MS. LOPEZ: Objection. That</p> <p>24 mischaracterizes his testimony.</p> <p>25 Q. Look at paragraph 85. Let's break it</p>

<p style="text-align: right;">Page 94</p> <p>1 down one word at a time if we have to. Let's make 2 it by phrase. 3 On February 24, 2018, Dr. Salcedo met 4 with Dr. Kogut to discuss his need for 5 accommodation. 6 Is that a true and accurate statement? 7 A. I would say that that statement is 8 accurate, except it leaves out the primary purpose 9 of reaching out to him. So it is true that I met 10 with him and I discussed the negative impact. That 11 was all these hours were having on my health. 12 But in addition, it was to remove 13 myself from service. So that's something that 14 would need to be added to that paragraph. 15 Q. Okay. And did you discuss with him 16 your need for accommodation? 17 MS. LOPEZ: Objection. Asked and 18 answered. 19 MS. CONRAD: I still haven't gotten an 20 answer to that. 21 A. I guess I'm a little confused because 22 I feel like I've answered this question a couple of 23 different ways, and I'm not sure -- 24 Q. Dr. Salcedo, I'm asking for a yes or 25 no answer.</p>	<p style="text-align: right;">Page 96</p> <p>1 were having on my health. But the primary reason 2 for this would need to be added to the paragraph, 3 was to remove myself from service. 4 Q. I understand that. 5 And what about that first line? 6 A. And I'm saying that this paragraph 7 needs to be updated so it's clearer. 8 Q. Okay. So tell me, what would the 9 clearer allegation consist of? 10 A. On February 24, 2018, Dr. Salcedo 11 texted Dr. Kogut to meet with him as soon as 12 possible. Dr. Salcedo met with Dr. Kogut, and Dr. 13 Salcedo noted that he did not feel comfortable on 14 service anymore. He wanted to remove himself. He 15 was experiencing worsening anxiety, worsening 16 depression. He was not getting the sleep he 17 needed. And his health was being negatively 18 impacted due to this. 19 Q. Thank you. 20 In paragraph 91, you allege that -- 21 that Dr. Swallow made a call to Dr. Munoz without 22 your permission or knowledge. Do you see that 23 allegation? 24 A. Yes. 25 Q. Had you included Dr. Munoz and his</p>
<p style="text-align: right;">Page 95</p> <p>1 Did you, on February 24, 2018, meet 2 with Dr. Kogut and discuss your need for 3 accommodation? 4 A. Yes. 5 Q. So you used word accommodation with 6 Dr. Kogut? 7 MS. LOPEZ: Objection. Objection 8 asked and answered. 9 A. That's a different question. 10 Q. If -- if the answer is no, then what 11 word did you use in place of accommodation? 12 MS. LOPEZ: Objection. Asked and 13 answered. 14 A. I'm -- I'm sorry, but you're asking me 15 two different questions. And you're asking for the 16 same answer to two different questions. 17 Q. I'm asking you to verify whether or 18 not paragraph 85 is true and accurate. 19 MS. LOPEZ: And he's answered that 20 question, counsel. 21 Q. And what is the answer, just so I have 22 it when I meet with Dr. Kogut? That's all I want 23 to know. 24 A. So it's accurate that I did discuss 25 the negative impact of working these many hours</p>	<p style="text-align: right;">Page 97</p> <p>1 contact information on the emergency plan that you 2 had submitted to Dr. Swallow? 3 A. If I did, that emergency plan was for 4 my use, not for Dr. Swallow's. It was what I would 5 do, not what Dr. Swallow would do. So I did not -- 6 under any assumption believe she would contact 7 anyone on that list, including my family and my 8 partner. 9 Q. And if it was for your use, why would 10 you include a phone number on it? 11 A. For it to be thorough. I got -- 12 Q. Paragraph 98. What meeting notes are 13 you are referring to in paragraph 98? 14 A. They are a clinical competency 15 committee meeting notes that were propounded or 16 given to us during the discovery process. 17 Q. And do those notes specifically 18 reference Dr. Salcedo's disability? 19 A. I believe so. I also believe that my 20 disability is referred to as a personal issue. I 21 believe those words were used. 22 Q. Okay. We'll review those notes later 23 in the deposition. 24 Paragraph 100, you refer to consistent 25 positive reviews. Do you see that reference?</p>

<p style="text-align: right;">Page 98</p> <p>1 A. Yes.</p> <p>2 Q. Had you received any reviews that were</p> <p>3 not positive?</p> <p>4 A. When you refer to the reviews, are you</p> <p>5 talking about my objective performance scores or</p> <p>6 free text --</p> <p>7 Q. I'm referring to whatever you're</p> <p>8 referring to in paragraph 100.</p> <p>9 A. My reviews were positive, yes.</p> <p>10 Q. All reviews were positive?</p> <p>11 A. Objective score performance, values,</p> <p>12 on a scale of one to five, all were positive. They</p> <p>13 were either average or above average.</p> <p>14 Q. Any negative concerns, issues on any</p> <p>15 review as of April 4, 2018?</p> <p>16 A. Are you including April 4th? Not to</p> <p>17 be technical, but I remember I got a -- a false</p> <p>18 evaluation that day. So prior to April 4th, all of</p> <p>19 my performance measures and scores, the numbers</p> <p>20 were positive, average, above average. And my free</p> <p>21 text comments, which attending residents could</p> <p>22 leave at the bottom, they included constructive</p> <p>23 feedback and ways to improve, but they in no way</p> <p>24 demonstrated critical deficiencies.</p> <p>25 Q. Up and until April 4th, had you been</p>	<p style="text-align: right;">Page 100</p> <p>1 Q. Had you reviewed the procedures that</p> <p>2 applied to an appeal prior to that notice for</p> <p>3 Dr. Swallow?</p> <p>4 A. Prior to her communication that I</p> <p>5 could not have support or help? No.</p> <p>6 Q. But did you review any policies that</p> <p>7 addressed whether or not you could have support,</p> <p>8 help, or someone with you at the appeal proceeding?</p> <p>9 A. I -- I didn't. There's a grievance</p> <p>10 process policy, but it did not men -- mention those</p> <p>11 specific requirements that Dr. Swallow was giving</p> <p>12 me.</p> <p>13 Q. In paragraph 102, you make reference</p> <p>14 to an outlier evaluation. Do you see that</p> <p>15 allegation?</p> <p>16 A. Yes.</p> <p>17 Q. What do you mean by that?</p> <p>18 A. So up until that evaluation that I</p> <p>19 received from Dr. Ashley Snyder, all of my</p> <p>20 objective performance scores were either average,</p> <p>21 above average, or aspirational. It wasn't until</p> <p>22 she submitted an evaluation after my termination</p> <p>23 that I received the worst scoring possible in just</p> <p>24 about all categories.</p> <p>25 And they were scorings and categories</p>
<p style="text-align: right;">Page 99</p> <p>1 informed of any critical deficiencies?</p> <p>2 A. By my attendings or my colleagues, no.</p> <p>3 But I would -- if you're counting the remediation,</p> <p>4 being placed on that remediation on December 14th,</p> <p>5 that would be my only answer.</p> <p>6 Q. Up and until April 4th, 2018, had you</p> <p>7 been placed on any warning or received any warning?</p> <p>8 A. No.</p> <p>9 Q. With respect to the appeal that you</p> <p>10 referenced in paragraph 101, did you ever proceed</p> <p>11 with a hearing or meeting with respect to that</p> <p>12 appeal?</p> <p>13 A. I had initiated the -- the process of</p> <p>14 the appeal, but after realizing that the appeal was</p> <p>15 going to be biased, tainted, it was going to -- I</p> <p>16 was given specific instructions that were not to my</p> <p>17 benefit for the appeal, I did not continue that</p> <p>18 process.</p> <p>19 Q. What do you mean you were given</p> <p>20 specific instructions?</p> <p>21 A. Dr. Swallow notified me that I could</p> <p>22 not have anyone for support. I could not have my</p> <p>23 legal counsel present. That I had to be by myself,</p> <p>24 alone, and that she would be leading the entire</p> <p>25 process.</p>	<p style="text-align: right;">Page 101</p> <p>1 that Dr. Snyder had no knowledge of or did not have</p> <p>2 a basis to comment on. But nevertheless, there</p> <p>3 were negative critical deficiencies marked there.</p> <p>4 So this is the time that I received my first</p> <p>5 critical deficiency scores, after termination.</p> <p>6 Q. What was the date of, if you recall,</p> <p>7 Dr. Snyder's eval -- outlier evaluation?</p> <p>8 A. I believe it -- it was around April</p> <p>9 4th. That's the -- the point in my mind. I -- I</p> <p>10 -- I know because I had a set of evaluations and</p> <p>11 scorings that I had before access was taken away.</p> <p>12 And then afterwards, this date, all my scores</p> <p>13 dropped because of the submission from Dr. Ashley</p> <p>14 Snyder. So it's almost like two versions of my</p> <p>15 record.</p> <p>16 MS. CONRAD: I'm about to start a new</p> <p>17 exhibit. And before I do, I want to check with the</p> <p>18 court reporter as well as counsel and Dr. Salcedo</p> <p>19 as to whether this is a good time to take a break.</p> <p>20 And if so, do we want to make it a brief lunch</p> <p>21 break?</p> <p>22 MS. LOPEZ: I would appreciate at</p> <p>23 least a comfort break and I'm fine with a lunch</p> <p>24 break, if that's the consensus of the group.</p> <p>25 MS. CONRAD: It's -- it's</p>

<p style="text-align: right;">Page 102</p> <p>1 approximately 12:30. I would propose that we</p> <p>2 reconvene at 1:00, if that works for everyone.</p> <p>3 MS. LOPEZ: That's fine with.</p> <p>4 THE VIDEOGRAPHER: I just have to go</p> <p>5 off the record. I apologize.</p> <p>6 The time is 12:28 p.m. We are going</p> <p>7 off the record.</p> <p>8 (A break was taken.)</p> <p>9 THE VIDEOGRAPHER: All right. The</p> <p>10 time is now 1:03 p.m. We are going back on the</p> <p>11 record.</p> <p>12 MS. CONRAD: Thank you.</p> <p>13 (Exhibit 3 was marked)</p> <p>14 BY MS. CONRAD:</p> <p>15 Q. So I'd like to direct your attention</p> <p>16 to Exhibit 3.</p> <p>17 MS. CONRAD: Jenny, are you with us?</p> <p>18 Yes, she is.</p> <p>19 Q. Dr. Salcedo, Exhibit 3 consists of a</p> <p>20 document titled, Plaintiff's responses to</p> <p>21 defendant's first request for responses to</p> <p>22 interrogatories. Are you familiar with this</p> <p>23 document?</p> <p>24 A. Yes.</p> <p>25 Q. Excuse me?</p>	<p style="text-align: right;">Page 104</p> <p>1 A. We went to medical school together.</p> <p>2 Q. And what facts does she have knowledge</p> <p>3 about?</p> <p>4 A. She has a general understanding of the</p> <p>5 events that unfolded at Penn State Hershey Medical</p> <p>6 Center, including my disclosure of my disability,</p> <p>7 my request for accommodations, the lack of</p> <p>8 implementation, my termination, and just general</p> <p>9 understanding of where this case in the timeline</p> <p>10 is.</p> <p>11 Q. How did she obtain that information?</p> <p>12 A. I told her.</p> <p>13 Q. Who is Dr. Santos?</p> <p>14 A. It's a -- a colleague of mine. She's</p> <p>15 a podiatrist in New Jersey.</p> <p>16 Q. And what information does she have</p> <p>17 about the facts relevant to this claim?</p> <p>18 A. It -- it would be exactly the same as</p> <p>19 Cristina Vo.</p> <p>20 Q. And from whom did she learn that</p> <p>21 information?</p> <p>22 A. Me, myself.</p> <p>23 Q. Dr. Garcia?</p> <p>24 A. He's also a colleague of mine. He's a</p> <p>25 physician in Florida, and he -- he's aware of the</p>
<p style="text-align: right;">Page 103</p> <p>1 A. Yes.</p> <p>2 Q. And did you review and verify the</p> <p>3 truth and accuracy of the factual allegations</p> <p>4 contained in this document prior to it being</p> <p>5 finalized?</p> <p>6 A. Yes.</p> <p>7 Q. Turning your attention to number 2,</p> <p>8 you list a number of individuals who have knowledge</p> <p>9 about the facts contained in the Complaint, and I</p> <p>10 very briefly want to run through these individuals.</p> <p>11 Who is Dr. Vo?</p> <p>12 A. Dr. Cristina Vo, she's a pediatrician</p> <p>13 based out of Philadelphia, Pennsylvania.</p> <p>14 Q. Did you treat with Dr. Vo?</p> <p>15 A. She's a colleague.</p> <p>16 THE REPORTER: I'm -- I'm sorry.</p> <p>17 Sorry. Sorry. What was your answer?</p> <p>18 THE WITNESS: She's a colleague.</p> <p>19 THE REPORTER: She's a colleague.</p> <p>20 Thank you.</p> <p>21 THE WITNESS: Colleague.</p> <p>22 THE REPORTER: Thank you.</p> <p>23 BY MS. CONRAD:</p> <p>24 Q. And in what capacity is she a</p> <p>25 colleague?</p>	<p style="text-align: right;">Page 105</p> <p>1 same information.</p> <p>2 Q. And from whom did he learn that</p> <p>3 information?</p> <p>4 A. Me.</p> <p>5 Q. Dr. Nicholas Duca?</p> <p>6 A. Dr. Nicholas Duca was an attending of</p> <p>7 mine during my employment at Penn State Hershey</p> <p>8 Medical Center.</p> <p>9 Q. And how does Dr. Duca know about the</p> <p>10 document -- documented disability request to</p> <p>11 Hershey Medical Center?</p> <p>12 A. I told him.</p> <p>13 Q. Dr. Greene?</p> <p>14 A. She's the vice dean, Rutgers Medical</p> <p>15 School in Newark, New Jersey.</p> <p>16 Q. How does Dr. Greene know about the</p> <p>17 documented disability request to Hershey Medical</p> <p>18 Center?</p> <p>19 A. I told her.</p> <p>20 Q. Dr. Hill?</p> <p>21 A. He's associate dean of students at</p> <p>22 Rutgers.</p> <p>23 Q. And how does Dr. Hill know about the</p> <p>24 documented disability request and the alleged</p> <p>25 suffering?</p>

<p style="text-align: right;">Page 106</p> <p>1 A. Told him.</p> <p>2 Q. Dr. Munoz?</p> <p>3 A. He's my -- he was my treating</p> <p>4 psychiatrist in Hershey, Pennsylvania.</p> <p>5 Q. And what is the source of the</p> <p>6 information he possesses?</p> <p>7 A. In addition to our -- our treatment</p> <p>8 sessions, he also spoke directly to Dr. Swallow.</p> <p>9 Q. Miss Colston?</p> <p>10 A. Miss Sheri colston, she is my</p> <p>11 therapist and she's in New Jersey.</p> <p>12 Q. When you say your therapist, at what</p> <p>13 point in time?</p> <p>14 A. After leaving -- after employment at</p> <p>15 Penn State Hershey Medical Center in June of 2018,</p> <p>16 I transitioned care to her.</p> <p>17 Q. Are you still treating --</p> <p>18 A. Yes.</p> <p>19 Q. -- with Miss Colson?</p> <p>20 A. Yes.</p> <p>21 Q. And what is the source of the</p> <p>22 information that Miss Colston possesses?</p> <p>23 A. She's aware of all of the same</p> <p>24 information --</p> <p>25 Q. I don't --</p>	<p style="text-align: right;">Page 108</p> <p>1 Q. Antonio Marrero?</p> <p>2 A. He's my former roommate while I was at</p> <p>3 Penn State Hershey Medical Center. And I discussed</p> <p>4 with him as well.</p> <p>5 Q. Directing your attention to</p> <p>6 Interrogatory number 4. In number 4, the answer</p> <p>7 provides that you gave statements to my previous</p> <p>8 lawyer as well as to the EEOC during the</p> <p>9 investigation.</p> <p>10 Do you see that response?</p> <p>11 A. Yes.</p> <p>12 Q. Have those statements been produced in</p> <p>13 discovery?</p> <p>14 A. I'm not 100 percent sure.</p> <p>15 MS. CONRAD: I request at this time,</p> <p>16 counsel, that all statements be produced as they</p> <p>17 have been requested, to the extent they haven't</p> <p>18 already been.</p> <p>19 (Request.)</p> <p>20 Q. Number 5, you indicate that -- in your</p> <p>21 response, that disabilities have been treated since</p> <p>22 2008.</p> <p>23 Do you see that response?</p> <p>24 A. Yes.</p> <p>25 Q. Did you receive accommodations at any</p>
<p style="text-align: right;">Page 107</p> <p>1 A. -- and what I told her in our</p> <p>2 treatment sessions, I -- I disclosed it.</p> <p>3 Q. Miss Batz?</p> <p>4 A. She was my treating therapist during</p> <p>5 my employment at Penn State Hershey Medical Center.</p> <p>6 She's aware of the same information because I</p> <p>7 disclosed it to her during our treatment sessions.</p> <p>8 Q. Dr. Obi?</p> <p>9 A. Same. She's another colleague of</p> <p>10 mine, and she's aware of all the events because I</p> <p>11 discussed them with her. I told her about them.</p> <p>12 She's a close friend.</p> <p>13 Q. Dr. Jafri?</p> <p>14 A. Dr. Aliya jafri, she was a co-intern,</p> <p>15 PGY-1 also into PGY-2 to 4 at PMNR.</p> <p>16 Q. And what is the source of information</p> <p>17 she possesses?</p> <p>18 A. I told her.</p> <p>19 Q. Dr. Willer?</p> <p>20 A. Similar to Dr. Jafri, I told her.</p> <p>21 Q. Dr. Rudra?</p> <p>22 A. Similar to the above, she's a -- she</p> <p>23 was a co-intern and I -- I told her myself.</p> <p>24 Q. Dr. Chen?</p> <p>25 A. I told her as well.</p>	<p style="text-align: right;">Page 109</p> <p>1 point during your education since these</p> <p>2 disabilities have been treated in 2008?</p> <p>3 A. Yes.</p> <p>4 Q. What accommodations did you receive?</p> <p>5 A. I received extra test-taking time, a</p> <p>6 quiet space for examinations. I'm in just close --</p> <p>7 close relationships with my -- my managers or</p> <p>8 directors at the time. So I had accommodations in</p> <p>9 undergrad as well as the medical school.</p> <p>10 Q. When you sought accommodations in</p> <p>11 undergrad, who did you request those -- how did you</p> <p>12 request those accommodations?</p> <p>13 A. There's a disabilities service office</p> <p>14 at my undergrad institution, Montclair State</p> <p>15 University, where they provide counseling,</p> <p>16 treatment and safe space.</p> <p>17 Q. And in medical school, how did you</p> <p>18 request accommodations in medical school?</p> <p>19 A. I went to Dr. James Hill. He's the</p> <p>20 dean of students.</p> <p>21 Q. Directing your attention to the</p> <p>22 response to Interrogatory number 6. You make a</p> <p>23 statement that you handed Dr. Swallow the</p> <p>24 accommodation request form partially filled out.</p> <p>25 Do you see that response?</p>



<p style="text-align: right;">Page 110</p> <p>1 A. Yes.</p> <p>2 Q. Why was it partially filled out?</p> <p>3 A. Because I -- I only filled in the</p> <p>4 specific lines that I could address myself, which</p> <p>5 was just identifying information, date of birth,</p> <p>6 basic identifying information.</p> <p>7 Q. And I believe you previously testified</p> <p>8 that you handed Dr. Swallow the accommodation</p> <p>9 request form and the letter from Dr. Munoz. Is</p> <p>10 that correct?</p> <p>11 A. Yes.</p> <p>12 Q. You don't reference that in this</p> <p>13 answer, do you?</p> <p>14 A. Yes. There is something that needs to</p> <p>15 be updated in that paragraph in -- in the sense</p> <p>16 that, because the days occurred -- occurred close</p> <p>17 together, I actually gave Dr. Swallow the</p> <p>18 accommodation request form from Dr. Munoz the same</p> <p>19 day. When I was originally accounting this, I</p> <p>20 thought it was on a separate day.</p> <p>21 Q. And -- and -- in the event -- on the</p> <p>22 next page, the next paragraph -- well -- well, in</p> <p>23 the same paragraph, you -- you -- you allege that</p> <p>24 you informed Dr. Swallow you would get a letter</p> <p>25 from your psychiatrist with suggestions for</p>	<p style="text-align: right;">Page 112</p> <p>1 A. The meeting with the chief.</p> <p>2 Q. And that's where the chiefs made the</p> <p>3 suggestion to you, correct?</p> <p>4 A. Yes.</p> <p>5 MS. LOPEZ: Objection.</p> <p>6 Mischaracterizes testimony.</p> <p>7 MS. CONRAD: He's already answered the</p> <p>8 question.</p> <p>9 Q. After the meeting with the chiefs,</p> <p>10 what meeting took place next?</p> <p>11 A. The meeting with Dr. Frank Munoz.</p> <p>12 Q. Then what?</p> <p>13 A. The meeting with Dr. Swallow -- oh, I</p> <p>14 did have a clinic appointment with Dr. Britt</p> <p>15 Marshall, and then the meeting with Dr. Swallow.</p> <p>16 Q. Is there anything else in these</p> <p>17 Interrogatory answers that are not correct?</p> <p>18 A. To my knowledge, that's -- that's the</p> <p>19 only item that would need updating.</p> <p>20 Q. On the -- I believe it's later in that</p> <p>21 page, there's a reference to December 17, 2017 and</p> <p>22 the emergency medical -- or the emergency mental</p> <p>23 health plan. Do you have that paragraph?</p> <p>24 A. Yes.</p> <p>25 Q. You say, at this time, I was forced --</p>
<p style="text-align: right;">Page 111</p> <p>1 accommodations as a starting point, right?</p> <p>2 A. Yes.</p> <p>3 Q. So what is it -- what is the -- the</p> <p>4 accurate statement, that you handed swallow the</p> <p>5 accommodation form and the Munoz letter on the --</p> <p>6 at the same time or you did it separately?</p> <p>7 A. At the same time, during the same</p> <p>8 meeting.</p> <p>9 Q. Then why does it say here, around late</p> <p>10 August 2017, I submitted a letter of accommodation</p> <p>11 from Munoz?</p> <p>12 A. So, again, during this last week of</p> <p>13 August of 2017, there were numerous meetings that</p> <p>14 occurred as I sought to secure accommodations. So</p> <p>15 the dates -- I mixed up one of the days. So I</p> <p>16 recall I met the chiefs on one day, then I met</p> <p>17 Mr. Britt Marshall in the clinic another on the --</p> <p>18 or around that same time I met Dr. Munoz to get the</p> <p>19 release -- or I mean the notice for accommodations,</p> <p>20 and then I met with Dr. Swallow. So there were</p> <p>21 multiple meetings that all occurred within a span</p> <p>22 of a week.</p> <p>23 Q. Okay. Could you put them in</p> <p>24 chronological order for me, please? Which -- which</p> <p>25 meeting occurred first?</p>	<p style="text-align: right;">Page 113</p> <p>1 I'm halfway in that paragraph -- to sign a letter</p> <p>2 placing myself in remediation.</p> <p>3 Do you see that?</p> <p>4 A. Yes.</p> <p>5 Q. What do you mean when you say you were</p> <p>6 forced?</p> <p>7 A. Me signing that remediation -- me</p> <p>8 being able to return to work was contingent on me</p> <p>9 accepting that remediation.</p> <p>10 Q. Well, you could have said no, I'm not</p> <p>11 signing it, right?</p> <p>12 A. I -- I could have denied signing that</p> <p>13 form and not continued my training.</p> <p>14 Q. And you wanted to continue your</p> <p>15 training?</p> <p>16 A. Yes.</p> <p>17 Q. So you signed the form?</p> <p>18 A. Yes.</p> <p>19 Q. You say, the letter was heavily geared</p> <p>20 toward my disability.</p> <p>21 Do you see that statement?</p> <p>22 A. Yes.</p> <p>23 Q. What does that mean?</p> <p>24 A. That the bulk of the discussion I had</p> <p>25 with Dr. Swallow was on my mental health, on my</p>

<p style="text-align: right;">Page 114</p> <p>1 disability, how I would address it, rather than</p> <p>2 what accommodations could be implemented. So the</p> <p>3 bulk of the meeting was just discussing my</p> <p>4 disability.</p> <p>5 Q. Well, did you ask to submit any form</p> <p>6 of response or addendum to the remediation plan?</p> <p>7 MS. LOPEZ: Objection. Compound</p> <p>8 question.</p> <p>9 Q. Did you ask to submit any response to</p> <p>10 the remediation plan?</p> <p>11 A. No. There was not an addendum or a</p> <p>12 response submitted. It was just --</p> <p>13 Q. I'm asking if you asked -- if you were</p> <p>14 able to submit a response?</p> <p>15 MS. LOPEZ: Objection. Calls for</p> <p>16 speculation.</p> <p>17 Q. Did you ask about submitting a</p> <p>18 response to the remediation plan?</p> <p>19 A. I did not ask to submit a response. I</p> <p>20 didn't know that was an option. I was just told to</p> <p>21 sign the form.</p> <p>22 Q. Did you ask if it was an option?</p> <p>23 A. I'm sorry. I just said I didn't know</p> <p>24 it was an option.</p> <p>25 Q. On the next page, referring to the</p>	<p style="text-align: right;">Page 116</p> <p>1 Dr. Swallow, I believe.</p> <p>2 Q. So -- but it was Dr. Munoz who made</p> <p>3 the disclosures about your medical history,</p> <p>4 correct?</p> <p>5 MS. LOPEZ: Objection. Asked and</p> <p>6 answered.</p> <p>7 Q. Did Mr. Munoz violate HIPAA when he</p> <p>8 disclosed information to Dr. Swallow about your</p> <p>9 medical history?</p> <p>10 MS. LOPEZ: Objection.</p> <p>11 Mischaracterizes testimony.</p> <p>12 MS. CONRAD: I'm asking a question.</p> <p>13 I'm not even characterizing his testimony. Please</p> <p>14 stop being disruptive.</p> <p>15 MS. LOPEZ: I'm not being disruptive.</p> <p>16 I'm putting my objection to the form of the</p> <p>17 question on the record.</p> <p>18 MS. CONRAD: There was no reference to</p> <p>19 his testimony in that question, so there is no</p> <p>20 proper basis for that objection.</p> <p>21 Could you repeat the question to</p> <p>22 Dr. Salcedo, please?</p> <p>23 THE REPORTER: Yes.</p> <p>24 (The question was read back by the</p> <p>25 reporter.)</p>
<p style="text-align: right;">Page 115</p> <p>1 February 26th incident, the second full paragraph</p> <p>2 refers to the evening of February 26th. You assert</p> <p>3 in this response that Dr. Swallow violated HIPAA</p> <p>4 and called my psychiatrist to discuss my medical</p> <p>5 history.</p> <p>6 On what do you form the basis for your</p> <p>7 allegation that Dr. Swallow violated HIPAA?</p> <p>8 A. I -- I never signed a written release</p> <p>9 or told Dr. Swallow it was okay to discuss my</p> <p>10 disability, my mental health, my symptomatology or</p> <p>11 any episodes at the center with anyone else.</p> <p>12 Q. Had you told Dr. Munoz not to disclose</p> <p>13 your medical information to anyone?</p> <p>14 A. I did not have to tell Dr. Munoz that.</p> <p>15 He knew to follow the guidelines. So it was him</p> <p>16 who actually requested the release form after</p> <p>17 Dr. Swallow called him, because he thought it was</p> <p>18 inappropriate.</p> <p>19 Q. Well, he was the one who possessed</p> <p>20 your medical history, didn't he?</p> <p>21 A. Yes. He's my treating provider.</p> <p>22 Q. And he is the one that made</p> <p>23 disclosures about your medical history, isn't he?</p> <p>24 A. No. The events around February 26th,</p> <p>25 2018, they were disclosed to Dr. Munoz by</p>	<p style="text-align: right;">Page 117</p> <p>1 THE WITNESS: No, Dr. Munoz did not</p> <p>2 violate HIPAA. Not only did he have -- he asked</p> <p>3 for a signed release form before he would talk more</p> <p>4 with Dr. Swallow. Or should I say --</p> <p>5 BY MS. CONRAD:</p> <p>6 Q. But he talked to her on February 26th,</p> <p>7 didn't he?</p> <p>8 A. Yes. But that was without the release</p> <p>9 form.</p> <p>10 Q. And he disclosed medical information</p> <p>11 --</p> <p>12 A. No.</p> <p>13 Q. -- about you on February 26th, didn't</p> <p>14 he?</p> <p>15 A. I did not state that.</p> <p>16 Q. You say in your answer here, on the</p> <p>17 evening of February 26th, 2018, Dr. Swallow</p> <p>18 violated HIPAA and called my psychiatrist,</p> <p>19 Dr. Frank Munoz, to discuss my medical history.</p> <p>20 A. Yes.</p> <p>21 Q. Dr. Munoz provided information in that</p> <p>22 February 26th call about your medical history.</p> <p>23 A. No, not that I am aware of.</p> <p>24 Q. Was Dr. Swallow one of your medical</p> <p>25 providers?</p>



<p style="text-align: right;">Page 118</p> <p>1 A. No.</p> <p>2 Q. Then how did Dr. Swallow violate</p> <p>3 HIPAA? Strike that.</p> <p>4 Just let me ask: How did Dr. Swallow</p> <p>5 violate HIPAA on February 26th, 2018?</p> <p>6 A. Because she has a duty as the program</p> <p>7 director to keep all information confidential that</p> <p>8 she had learned on my behalf, including my</p> <p>9 disability and mental health.</p> <p>10 Q. And is it your position that's a</p> <p>11 violation of HIPAA?</p> <p>12 A. I would say that her disclosing my --</p> <p>13 my disability and my exacerbation of symptoms</p> <p>14 without my permission, as a medical professional,</p> <p>15 in my opinion, is a violation of HIPAA, because it</p> <p>16 was in the sense under her care as her student, a</p> <p>17 medical student.</p> <p>18 Q. What did --</p> <p>19 A. Say it again.</p> <p>20 Q. What did Dr. Swallow disclose to</p> <p>21 Dr. Munoz on the evening of February 26th?</p> <p>22 A. She -- Dr. Swallow told Dr. Frank</p> <p>23 Munoz that I was having worsening in my condition,</p> <p>24 that I had a slip in self-care. She discuss --</p> <p>25 discusses a patient incident.</p>	<p style="text-align: right;">Page 120</p> <p>1 the meeting under the impression that, my requests</p> <p>2 for acknowledged in good faith and to be acted upon</p> <p>3 in a timely manner.</p> <p>4 Do you see that statement?</p> <p>5 A. Yes.</p> <p>6 Q. Who did you expect to act upon them in</p> <p>7 a timely manner?</p> <p>8 A. The chief residents themselves, they</p> <p>9 -- they reached out when I started working at the</p> <p>10 medical center to let all the residents know that</p> <p>11 if they had any concerns or requests, that they</p> <p>12 were the people to reach out to.</p> <p>13 Q. But what do you mean that -- that the</p> <p>14 requests were acknowledged in good faith and to be</p> <p>15 acted upon in a timely manner? What does that</p> <p>16 mean?</p> <p>17 A. We -- we had a discussion and I was</p> <p>18 left under the impression that the items we</p> <p>19 discussed, those sit-down rounds, the quiet space</p> <p>20 to work, the meeting the attendings beforehand, and</p> <p>21 establishing those relationships, that the chief</p> <p>22 residents would work on getting those put into</p> <p>23 place.</p> <p>24 Q. Did you take any action to put them in</p> <p>25 place?</p>
<p style="text-align: right;">Page 119</p> <p>1 She goes on to discuss accommodations</p> <p>2 she states that she has already implemented. And</p> <p>3 possible further accommodations.</p> <p>4 Q. And this discussion took place after</p> <p>5 the incident in February of 2018 in which you</p> <p>6 removed yourself from service, correct?</p> <p>7 A. Yes. Two days after.</p> <p>8 Q. And what is the source of your</p> <p>9 information that Dr. Swallow disclosed your</p> <p>10 worsening condition, your slip in self-care, the</p> <p>11 patient incident, and accommodations with</p> <p>12 Dr. Munoz?</p> <p>13 A. Dr. Frank Munoz wrote down notes of</p> <p>14 the telephone call and transcribed them for me.</p> <p>15 Q. Turning to page 11. On page 11, in</p> <p>16 about the third sentence, you note that the three</p> <p>17 chief residents provided examples of accommodations</p> <p>18 that would be easy to arrange. Don't you?</p> <p>19 A. Yes.</p> <p>20 Q. And you then list the quiet space, the</p> <p>21 ability to meet with colleagues, the option to</p> <p>22 conduct sit-down rounds, and schedule time to meet</p> <p>23 with healthcare providers monthly.</p> <p>24 A. Yes.</p> <p>25 Q. You then go on to say that you left</p>	<p style="text-align: right;">Page 121</p> <p>1 A. I -- I did what I could do best on my</p> <p>2 end, which was remind them. But that actually</p> <p>3 needed to come from the people with the power to</p> <p>4 make the change, which was the leadership that I</p> <p>5 approached.</p> <p>6 Q. So you took no action to -- with</p> <p>7 respect to any of those items addressed in that</p> <p>8 paragraph?</p> <p>9 MS. LOPEZ: Objection.</p> <p>10 Mischaracterizes testimony.</p> <p>11 BY MS. CONRAD:</p> <p>12 Q. Did you take any action to find a</p> <p>13 quiet space in which to take notes?</p> <p>14 A. So I did take action myself because</p> <p>15 accommodations were not implemented. And by that</p> <p>16 was when I disclosed my disability to my attendings</p> <p>17 beforehand to get accommodations such as sit-down</p> <p>18 rounds. But those were ad hoc and I had to do them</p> <p>19 at out-of-rotation basis. They were not</p> <p>20 accommodations implemented by the program itself.</p> <p>21 Q. Okay. Listen carefully to my</p> <p>22 question, please.</p> <p>23 Did you act in a timely manner to</p> <p>24 obtain a quiet space in which to take notes?</p> <p>25 MS. LOPEZ: Asked and answered.</p>

<p style="text-align: right;">Page 122</p> <p>1 A. I believe I already asked -- answered 2 that question, ma'am. 3 Q. Did you act in a timely manner to 4 conduct sit-down rounds? 5 A. Yes. I started my employment there 6 July 1st, 2017, and before I even started working 7 there, I had already reached out to leadership. So 8 I was very timely. And I had reached out for 9 accommodations before I even started rotating. 10 Q. Dr. Salcedo, I'm not asking if your 11 requested. I'm asking if you found a quiet space 12 to take notes. 13 MS. LOPEZ: Counsel, I think you asked 14 him about sit-down rounds, not quiet space. 15 MS. CONRAD: I know. I'm -- I'm going 16 back because I want to make sure that we -- we're 17 on the same page here. 18 BY MS. CONRAD: 19 Q. Did you, Dr. Salcedo, act in a timely 20 manner and find a quiet space to take notes? 21 MS. LOPEZ: Asked and answered. 22 Q. Just give me a yes or no. It will 23 take you a second. 24 A. Unfortunately, I feel like it's a -- 25 it's a leading question. You're -- you're assuming</p>	<p style="text-align: right;">Page 124</p> <p>1 from the program as well as time off to visit 2 family. 3 Q. What was the amount of time off that 4 he received? 5 A. I don't know the exact details of how 6 much time he was granted. 7 Q. How about Dr. Kuzmin? 8 A. He had a sports-related in -- injury, 9 and I noted that he was often excused from being 10 late to events and meetings and things without 11 consequence. 12 Q. And how long did that take place? 13 A. How long did it take place? 14 Q. Yes. 15 A. Throughout the beginning of my 16 employment, I believe he came in with the injury or 17 got it near the beginning of employment, until he 18 healed. 19 Q. And how long was he excused from being 20 tardy to events and meetings and visually observed? 21 For what period of time? 22 A. I can't comment on the exact dates or 23 time span. 24 Q. Directing your attention to page 15, 25 Interrogatory number 10. This is in reference to</p>
<p style="text-align: right;">Page 123</p> <p>1 that I could do that without consequence. So, no. 2 Q. Did you act in a timely manner to 3 conduct sit-down rounds? 4 A. I don't understand the question. Did 5 I act in a timely manner to conduct sit-down 6 rounds? I don't conduct them. I'm a part of the 7 sit-down rounds. 8 Q. During the sit-down rounds, did you 9 sit down? During rounds, did you sit down? 10 A. Yes. 11 Q. Did you schedule time to meet with 12 your health care providers monthly? 13 A. Yes. 14 Q. Turning to page 12, Interrogatory 15 number 7. This question asked about others who 16 were not disabled but required some sort of 17 flexibility as first-year interns that were granted 18 help. 19 And in your response, you list 20 Dr. Erik Soto. Who is Dr. Soto? 21 A. He was a colleague of mine, another 22 intern. 23 Q. And what -- what flexibility or help 24 did he receive? 25 A. I know he received financial support</p>	<p style="text-align: right;">Page 125</p> <p>1 the February incident. And in your response, you 2 make the statement, I did not accept this patient 3 under my care, leaving the responsibility to 4 Dr. Snyder, who received sign-out for this patient. 5 Do you see that statement? 6 A. Yes. 7 Q. Had you cared for this patient at any 8 point in time? 9 A. I can't definitively tell you that 10 because I don't know who the patient is that's 11 being referred to. 12 Q. In -- on the next page, number 11, in 13 your response, you state that you told Dr. Swallow 14 that there was an error in patient hand-off as I 15 never assumed responsibility for the patient or 16 stated I would accept care of him or her. 17 Do you see that statement? 18 A. Yes. 19 Q. Does that refresh your recollection as 20 to the patient at issue? 21 A. Again, so during this meeting, 22 Dr. Swallow brought to my attention that there was 23 a patient concern, but, again, nothing was brought 24 up to my attention the day prior when it occurred, 25 so I can't comment on event on a patient that was</p>

<p style="text-align: right;">Page 126</p> <p>1 not brought to my attention when it occurred.</p> <p>2 So literally during that session is</p> <p>3 when I was getting the details that a -- an alleged</p> <p>4 patient event occurred that was -- the patient</p> <p>5 wasn't seen in a timely manner.</p> <p>6 But that could possibly be any</p> <p>7 patient. I don't know which patient is being</p> <p>8 referred to, who the patient was signed off to.</p> <p>9 It's not like I had all of that in front of me to</p> <p>10 make that decision or to be informed.</p> <p>11 Dr. Swallow only said there was an</p> <p>12 issue with a patient not being seen in a timely</p> <p>13 manner. And I had stated that that might have been</p> <p>14 a patient hand-off problem or issue. And Dr.</p> <p>15 Swallow responded, hmm, sounds like it was a</p> <p>16 miscommunication.</p> <p>17 But that's all the detail I'm given of</p> <p>18 that event.</p> <p>19 Q. Well, prior to your -- I believe you</p> <p>20 -- you testified you called Dr. Kogut and said you</p> <p>21 couldn't continue on the ward; is that correct?</p> <p>22 A. Yes.</p> <p>23 Q. Well, prior to you then leaving the</p> <p>24 ward, what action, if any, did you take with the</p> <p>25 patients you have seen up until that point in time?</p>	<p style="text-align: right;">Page 128</p> <p>1 A. Approximately 6:30 a.m. to 6:30 p.m.</p> <p>2 Q. And when you referenced speaking to a</p> <p>3 colleague prior to leaving on the 24th, to whom did</p> <p>4 you speak?</p> <p>5 A. Samantha Willard.</p> <p>6 Q. I want to go back to paragraph 11. In</p> <p>7 the second paragraph, after you allege that</p> <p>8 Dr. Swallow violated HIPAA, you state that</p> <p>9 Dr. Swallow described false accommodations to my</p> <p>10 psychiatrist, such as a 50-hour workweek. Do you</p> <p>11 see that reference?</p> <p>12 A. Yes.</p> <p>13 Q. Did you ever have 50-hour workweeks?</p> <p>14 A. There may have been some rotations</p> <p>15 that I worked around 50-hour hours, but those --</p> <p>16 those were just the nature of the rotation, not the</p> <p>17 result of an accommodation or schedule change.</p> <p>18 Q. Did you ever have lighter rotations</p> <p>19 despite my schedule never being altered?</p> <p>20 A. Yes.</p> <p>21 Q. And did you ever have no overnight</p> <p>22 call?</p> <p>23 A. Yeah, there were points in my training</p> <p>24 in which I was not required to work overnight.</p> <p>25 Q. And was that a result of the type of</p>
<p style="text-align: right;">Page 127</p> <p>1 A. I had made sure that all orders were</p> <p>2 complete and that my colleague was aware of where</p> <p>3 all the patients stood so that it would be a smooth</p> <p>4 transition. But because of the time that I left in</p> <p>5 the early afternoon, morning rounds would have</p> <p>6 already been completed, so orders and notes would</p> <p>7 have already been done for the patients.</p> <p>8 Q. What about the night before? What</p> <p>9 about those patients?</p> <p>10 A. What about them?</p> <p>11 Q. When did you start that shift?</p> <p>12 MS. LOPEZ: Counsel, are you referring</p> <p>13 to February 23rd?</p> <p>14 BY MS. CONRAD:</p> <p>15 Q. On the day that you left ward -- the</p> <p>16 wards at around -- I thought you said it was around</p> <p>17 noon, 1:00, when had you started that shift?</p> <p>18 A. Approximately 6:30, February 24th.</p> <p>19 Q. 6:30 p.m. or a.m.?</p> <p>20 A. A.m., approximately.</p> <p>21 Q. February -- what was the date?</p> <p>22 A. 24th.</p> <p>23 Q. Had you worked the previous day?</p> <p>24 A. Yes.</p> <p>25 Q. What were your hours on February 23rd?</p>	<p style="text-align: right;">Page 129</p> <p>1 rotation that you were on?</p> <p>2 A. Exactly, yes. It was the result of</p> <p>3 the type of rotation.</p> <p>4 Q. So -- strike that.</p> <p>5 Directing your attention to page 20,</p> <p>6 response number 14.</p> <p>7 You make reference here to</p> <p>8 Dr. Snyder's online performance evaluation and it</p> <p>9 being one month past the required deadline. Do you</p> <p>10 see that statement?</p> <p>11 A. Yes.</p> <p>12 Q. What do you mean by the required</p> <p>13 deadline?</p> <p>14 A. By required, I mean that there's a --</p> <p>15 a good standard suggestion that a feedback</p> <p>16 evaluation should be submitted in a timely manner,</p> <p>17 soon after the rotation ends.</p> <p>18 Q. I believe you just testified that</p> <p>19 there was a standard suggestion. Was that the --</p> <p>20 was that the word you used?</p> <p>21 A. Yes.</p> <p>22 Q. So please reconcile standard</p> <p>23 suggestion with required deadline.</p> <p>24 A. If I could update this portion, I</p> <p>25 would put the recommended time -- within the</p>

<p style="text-align: right;">Page 130</p> <p>1 recommended timeframe.</p> <p>2 Q. I want to direct your attention to</p> <p>3 page 24, Interrogatory number 18. In your</p> <p>4 response, you state that you were offered a job</p> <p>5 along with several available disability</p> <p>6 accommodations when needed from Booz Allen</p> <p>7 Hamilton.</p> <p>8 Do you see that statement?</p> <p>9 A. Yes.</p> <p>10 Q. I thought you testified that you</p> <p>11 didn't need disability accommodations in your</p> <p>12 current position?</p> <p>13 A. Correct. The statement reads when</p> <p>14 needed. So if -- if there comes a point that I do</p> <p>15 need additional accommodations, then they would</p> <p>16 engage in and help me.</p> <p>17 Q. And how do you know that?</p> <p>18 A. That's what they told me. That's what</p> <p>19 I was told by the accommodation team.</p> <p>20 Q. Let me direct your attention to</p> <p>21 Exhibit 4.</p> <p>22 (Exhibit 4 was marked.)</p> <p>23 BY MS. CONRAD:</p> <p>24 Q. Are you familiar with this document?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 132</p> <p>1 renewals agreement will be based on the ACGME core</p> <p>2 competencies.</p> <p>3 A. Your question is, is that correct?</p> <p>4 Q. Yes. Was renewal of the resident</p> <p>5 agreement to be based upon the ACGME core</p> <p>6 competencies?</p> <p>7 A. Yes.</p> <p>8 Q. And were you -- are you familiar with</p> <p>9 those core competencies?</p> <p>10 A. Yes.</p> <p>11 Q. Were you evaluated on those core</p> <p>12 competencies?</p> <p>13 A. Yes.</p> <p>14 Q. And was reaching certain milestones</p> <p>15 required to advance to the next level of training?</p> <p>16 A. No, there were not certain milestones</p> <p>17 that needed. The way the ACGME's milestones work,</p> <p>18 they're used to track a resident over time to</p> <p>19 demonstrate their improvement and their growth. So</p> <p>20 each resident's milestone goals will be different</p> <p>21 depending on that individual.</p> <p>22 Q. Doesn't the agreement provide that</p> <p>23 ACGME milestones and -- and/or any other factors</p> <p>24 deemed necessary to advance to the next level in</p> <p>25 training?</p>
<p style="text-align: right;">Page 131</p> <p>1 Q. What is it?</p> <p>2 A. It's the resident agreement form.</p> <p>3 Q. Directing your attention to paragraph</p> <p>4 1, does paragraph 1 provide for any obligations</p> <p>5 that you are required to perform?</p> <p>6 A. The portion that says, resident has</p> <p>7 agreed to accept the position on the terms and</p> <p>8 conditions set forth in this agreement.</p> <p>9 Q. Looking at paragraph 1, do you agree</p> <p>10 to perform such duties at Penn State Health and</p> <p>11 it's affiliated institutions which are part of the</p> <p>12 residency program, conscientiously to the best of</p> <p>13 your ability and under the highest standards of</p> <p>14 professional ethics?</p> <p>15 A. Yes.</p> <p>16 Q. Directing your attention to paragraph</p> <p>17 3.3. Were you expected to provide competent and</p> <p>18 compassionate patient care and to work effectively</p> <p>19 as a member of the healthcare team?</p> <p>20 A. Yes.</p> <p>21 Q. And were you expected to perform at</p> <p>22 the highest level of professionalism at all times.</p> <p>23 A. Yes.</p> <p>24 Q. Directing your attention to the next</p> <p>25 page, paragraph 6. Does paragraph 6 provide that</p>	<p style="text-align: right;">Page 133</p> <p>1 A. Correct. I believe you asked me if</p> <p>2 there was a minimum score or minimum level required</p> <p>3 to be obtained.</p> <p>4 Q. On the next page, paragraph 11, does</p> <p>5 the agreement provide for leaves of absence?</p> <p>6 A. Yes.</p> <p>7 Q. Did you ever request a leave of</p> <p>8 absence?</p> <p>9 A. Yes.</p> <p>10 Q. When?</p> <p>11 A. On February 26th, 2018.</p> <p>12 Q. And was that request granted?</p> <p>13 A. Yes.</p> <p>14 Q. Did you request any other leaves?</p> <p>15 A. No.</p> <p>16 Q. Paragraph -- does paragraph 12 address</p> <p>17 duty hours?</p> <p>18 A. Yes.</p> <p>19 Q. And does it provide that all</p> <p>20 requirements of the residency review committee must</p> <p>21 be met for work hours and work environment?</p> <p>22 A. Yes.</p> <p>23 Q. And did you understand that the hours</p> <p>24 of duty will vary with the clinical service to</p> <p>25 which you were assigned?</p>

<p style="text-align: right;">Page 134</p> <p>1 A. Yes. And also that ultimately those 2 assigned duties were up to the program director's 3 discretion. 4 Q. That discretion would be limited by 5 the requirement in paragraph twelve that the 6 requirements of the resident review committee must 7 be met. 8 MS. LOPEZ: Is that a question? 9 MS. CONRAD: Yes. 10 BY MS. CONRAD: 11 Q. Do you agree with that? 12 A. I'm not sure when it is saying the 13 requirements of the residency review committee, 14 it's not referring to me. 15 Q. Who would it be referring to? 16 A. The residency review committee. This 17 paragraph is detailing not only my obligation but 18 the hospital's obligation to provide appropriate 19 scheduling and to follow guidelines. 20 Q. And to meet program requirements, 21 right? 22 A. I don't see that wording. 23 Q. Let me direct your attention to 24 Exhibit 5. 25 (Exhibit 5 was marked.)</p>	<p style="text-align: right;">Page 136</p> <p>1 and rehabilitation. 2 (Exhibit 6 was marked.) 3 Q. And I'll direct your attention now to 4 Exhibit 6. And we're going to go into the last 5 page of it in order to follow the time sequence. 6 If you look at the lower right-hand corner it will 7 be page 588. 8 It appears that the first email is 9 from you to Dr. Kogut on June 27, 2017; do you see 10 that? 11 A. Yes. 12 Q. And you state, thanks for taking the 13 time to talk to me today. I appreciate it. It was 14 a little weird reaching out. Do you recall what 15 discussion -- what took place during that talk on 16 June 27th? 17 A. I conveyed -- conveyed to Dr. James 18 Kogut that I had anxiety and depression and that 19 was a little worried about starting a brand new 20 work environment and being a fresh, new intern. 21 And that I was a little apprehensive. 22 Q. And you appreciated that Dr. Kogut met 23 and spoke to you about those items? 24 A. Yes. 25 Q. Weren't you? I'm sorry. Did you say</p>
<p style="text-align: right;">Page 135</p> <p>1 Q. Are you familiar with this document? 2 A. Yes. 3 Q. What is it? 4 A. It's a similar form, but it's the 5 resident agreement for the subsequent training 6 years of PGY2 to 4. 7 Q. And directing your attention to -- 8 well, there's no page numbers. If you look at the 9 Bates numbers, 856. There's a signature on 10 this; isn't there? 11 A. Yes. 12 Q. All right. Did you obtain a copy of 13 this document? 14 A. Yes. 15 Q. When? 16 A. Around March of 2018. 17 Q. And what was your understanding -- and 18 how did you receive this document? 19 A. I don't recall if I was emailed this 20 document or if it was provided by GME. 21 Q. What was your understanding of having 22 received this document? 23 A. My understanding was that I would be 24 moving on to my second year of training at the end 25 of the year, to PGY2 for PM -- physical medicine</p>	<p style="text-align: right;">Page 137</p> <p>1 yes? 2 A. Yes. 3 Q. And then on July 6th, Dr. Kogut 4 follows up with you, doesn't he? 5 A. Yes. 6 Q. And he asks -- and he said he just 7 wanted to check in and say hi, how is everything 8 going? 9 A. Yep, yes. 10 Q. And you reply to him, don't you, later 11 in the day on July 6th? 12 A. Yes. 13 Q. And you tell him that you're doing 14 okay. 15 A. Yes. 16 Q. You mentioned the anxiety, don't you? 17 A. Yes. 18 Q. And you mention the apprehension, 19 don't you? 20 A. Yes. 21 Q. And you -- and everything being new? 22 A. Yes. 23 Q. And you say, let me know if you have 24 any suggestions, don't you? 25 A. Yes.</p>

<p style="text-align: right;">Page 138</p> <p>1 Q. Do you make any reference to 2 accommodations in the July 6th email? 3 A. No. 4 Q. The next email, as I follow it, is on 5 July 7th. It starts on the previous page, page 6 586. And it's an email from Dr. Kogut to you. Is 7 that the next email exchange you had with 8 Dr. Kogut? 9 A. Yes. 10 Q. And he acknowledges the adjustment 11 period, doesn't he? 12 A. Yes. 13 Q. And he provides you a resource, 14 doesn't he? 15 A. Yes. 16 Q. And with a counseling service, isn't 17 it? 18 A. Yes. 19 Q. And he states, any resident can use 20 their services, so I encourage you to reach out and 21 schedule an appointment with them, doesn't he? 22 A. Yes. 23 Q. And did you reach out to the 24 counseling service? 25 A. Yes.</p>	<p style="text-align: right;">Page 140</p> <p>1 Dr. Kogut about this issue? 2 A. Yes. 3 Q. And what was the response? 4 A. They removed the duplicated rotations 5 and substituted two different rotations. 6 Q. So your request was granted, wasn't 7 it? 8 A. Yes. But --but it was not so much a 9 request, more of a correction to an error on my 10 schedule having multiple rotations of the same 11 sort. It might have been an oversight and I was 12 just asking for that to be corrected. 13 Q. And at your request, the correction 14 was corrected, wasn't it? 15 A. Yes, the error was corrected. 16 Q. And the next email is on August 16 17 where you asked to meet with Dr. Kogut, don't you? 18 A. Yes. 19 Q. And Dr. Kogut replies and suggests 20 meeting the following week, doesn't he? 21 A. Yes. 22 Q. Either Wednesday, Thursday or Friday, 23 right? 24 A. Yes. 25 Q. And he informs you, if you need to</p>
<p style="text-align: right;">Page 139</p> <p>1 Q. And he concludes by saying, if you 2 have any questions or concerns, don't hesitate to 3 reach out to us chiefs. We are here for you, 4 doesn't he? 5 A. Yes. 6 Q. And you reply to Dr. Kogut on July 7 10th, don't you? It's on page 586. 8 A. Yep, yes. 9 Q. And you let him know that you made an 10 appointment, don't you? 11 A. Yes. 12 Q. And the next communication, I believe 13 is on the next page, 585. It is dated August 2nd 14 from you to Dr. Kogut. 15 A. Yes. 16 Q. Could you explain that -- that request 17 that you're making in that email, please? 18 A. So for my schedule that was laid out 19 in advance for the year, there were repeat 20 rotations or rotations that were listed more than 21 once. So they were duplicative. So I wanted to 22 bring to his attention if that could be correct and 23 perhaps swapped for something more relevant to my 24 career, yes. 25 Q. And did you get a response from</p>	<p style="text-align: right;">Page 141</p> <p>1 meet earlier, to let him know, right? 2 A. Yes. 3 Q. Did you let him know you needed to 4 meet earlier? 5 A. I did not let him know I needed to 6 meet earlier, because I did not need to meet 7 earlier. 8 Q. And he also let's you know, if ever he 9 is unavailable, Sim and Britt are also here to 10 support you; is what he says? 11 A. Yes. 12 Q. Who are Sim and Britt? 13 A. The other chief residents. 14 Q. And on August 16, there's an email 15 from you that says, thanks for the quick reply. I 16 just had some questions and was feeling overwhelmed 17 a bit. Next week is fine, right? 18 A. Correct. 19 Q. And did you meet next week with 20 Dr. Kogut? 21 A. It may have been a few days over seven 22 days, but I met with him on the 25th of August, so 23 shortly after. 24 Q. And on August 23rd, you sent him an 25 email again asking about a good time to talk this</p>



<p style="text-align: right;">Page 142</p> <p>1 week?</p> <p>2 A. Correct.</p> <p>3 Q. And if you turn to page 583, Dr. Kogut</p> <p>4 replies, how does tomorrow morning sound, say</p> <p>5 around 7:30, doesn't he?</p> <p>6 A. Yes.</p> <p>7 Q. And you planned to meet in the chiefs'</p> <p>8 room, don't you?</p> <p>9 A. Yes.</p> <p>10 Q. And then starting on the first page,</p> <p>11 there's an email dated August 26th at the bottom of</p> <p>12 that page. We're on 581. Right. And this is an</p> <p>13 email you sent to Dr. Kogut, isn't it?</p> <p>14 A. Yes.</p> <p>15 Q. And you thank him for meeting earlier</p> <p>16 in the week, don't you?</p> <p>17 A. Yes.</p> <p>18 Q. And when you go on to say in the next</p> <p>19 paragraph --</p> <p>20 MS. LOPEZ: Counsel, to be clear, are</p> <p>21 you talking about the next paragraph of the same</p> <p>22 email thread?</p> <p>23 MS. CONRAD: 582 at the top it starts,</p> <p>24 I really appreciate it.</p> <p>25 A. I let him know that I'm thankful for</p>	<p style="text-align: right;">Page 144</p> <p>1 with accommodations. It wasn't and end-all, be-all</p> <p>2 email. It was a polite follow up.</p> <p>3 Q. When you say, I think the suggestions</p> <p>4 you made were really good, what suggestions are you</p> <p>5 referring to there?</p> <p>6 A. I'm talking about the items we</p> <p>7 discussed during the meeting, such as having a</p> <p>8 quiet space to work, the sit-down rounds, meeting</p> <p>9 your attendings beforehand, and establishing those</p> <p>10 relationships before new rotations. Those were</p> <p>11 discussed and there was a feedback in that I agreed</p> <p>12 that those would be useful, you know.</p> <p>13 Q. And then following that meeting later</p> <p>14 on, Dr. Kogut -- or you check in with Dr. Kogut on</p> <p>15 October 4, 2017, don't you?</p> <p>16 A. Yes.</p> <p>17 Q. And I'm on the first page of 581.</p> <p>18 A. Yes.</p> <p>19 Q. You make reference to the VA wards; do</p> <p>20 you see that?</p> <p>21 A. Yes.</p> <p>22 Q. Where did you -- what VA wards were</p> <p>23 you on in the fall of 2017?</p> <p>24 A. Veteran's Administration in Lebanon,</p> <p>25 Pennsylvania.</p>
<p style="text-align: right;">Page 143</p> <p>1 the interaction.</p> <p>2 Q. Well, could you read into the record,</p> <p>3 please, the next two paragraphs that start with, I</p> <p>4 really appreciate it?</p> <p>5 A. I really appreciate it. It's great to</p> <p>6 know that I have support and someone to reach out</p> <p>7 to as I work on my social anxiety and becoming a</p> <p>8 good intern. It's been hard, but all I can do is</p> <p>9 do my best.</p> <p>10 Q. And then the next paragraph?</p> <p>11 A. I think the suggestions you made were</p> <p>12 really good and would help, like sit-down rounds.</p> <p>13 I also talked to Britt a little on Friday, as well,</p> <p>14 because I had a clinic appointment.</p> <p>15 Q. So we agree, don't we, that it was</p> <p>16 Dr. Kogut who made the suggestions, including the</p> <p>17 suggestion for the sit-down rounds.</p> <p>18 MS. LOPEZ: Objection.</p> <p>19 Mischaracterizes testimony.</p> <p>20 Q. Do we agree that based on your email</p> <p>21 you state that Dr. Kogut made the suggestions,</p> <p>22 including the sit-down rounds?</p> <p>23 A. I can't definitively say that, because</p> <p>24 it also could have been Britt Marshall. I was</p> <p>25 giving an example one of the items we discussed</p>	<p style="text-align: right;">Page 145</p> <p>1 Q. And you state, I didn't have any</p> <p>2 additional panic attacks. Do you see that time</p> <p>3 that that referenced?</p> <p>4 A. Yes.</p> <p>5 Q. Did you have a panic attack while on</p> <p>6 the VA ward?</p> <p>7 A. Prior -- prior to me starting work,</p> <p>8 yes.</p> <p>9 Q. Tell me about that incident, please.</p> <p>10 A. So I was experiencing a sudden flush</p> <p>11 of anxiety and physical symptoms, like increased</p> <p>12 heart rate, sweating and redness.</p> <p>13 Q. And when did this occur?</p> <p>14 A. In the very, very beginning of my</p> <p>15 rotation at the VA.</p> <p>16 Q. And did you have to walk away from the</p> <p>17 ward at the time of this panic attack?</p> <p>18 A. No. I did reach out to Britt Marshall</p> <p>19 and she came and she just sort of reassured me to</p> <p>20 give it my best shot and take a deep breath and go</p> <p>21 with the new environment and everything would be</p> <p>22 okay. And I just went --</p> <p>23 Q. Was there a period of time you were</p> <p>24 not present on the VA ward?</p> <p>25 A. Could you be a little more specific?</p>

<p style="text-align: right;">Page 146</p> <p>1 I did go home to sleep and shower and eat, so when</p> <p>2 I was off shift.</p> <p>3 Q. During your shift, was there a time</p> <p>4 that you removed yourself from the ward from</p> <p>5 patient care from services?</p> <p>6 A. No.</p> <p>7 Q. Was there a time that you could not be</p> <p>8 located on the VA ward?</p> <p>9 A. No.</p> <p>10 (Exhibit 7 was marked.)</p> <p>11 Q. Let me direct your attention to</p> <p>12 Exhibit 7. Are you familiar with this document?</p> <p>13 A. Yes.</p> <p>14 Q. What is it?</p> <p>15 A. It's the form that I needed to fill</p> <p>16 out to get cleared to work and to get that national</p> <p>17 provider identification number.</p> <p>18 Q. And is this -- was your start date at</p> <p>19 Lebanon on July 1, 2017?</p> <p>20 A. No. No, it wasn't. This is much</p> <p>21 sooner.</p> <p>22 Q. What does it mean on the form when it</p> <p>23 says start date?</p> <p>24 A. That -- that is the start date of</p> <p>25 having the access and the number. But that's not</p>	<p style="text-align: right;">Page 148</p> <p>1 A. Yep, I see it.</p> <p>2 Q. Is that an accurate description?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. Under the mental health</p> <p>5 treatment history, there's a question about</p> <p>6 currently in treatment; do you see that question?</p> <p>7 A. Yes.</p> <p>8 Q. And it says no; is that correct?</p> <p>9 A. Yes.</p> <p>10 Q. So is it true that at the time you</p> <p>11 started at Hershey Medical Center, you were not in</p> <p>12 treatment?</p> <p>13 A. I was -- I have primary care provider</p> <p>14 in New Jersey that bridges my medications and</p> <p>15 treatment when I have big transitions, such as</p> <p>16 going from one job to another. So I was still</p> <p>17 getting cared -- cared for. I was not sure if this</p> <p>18 question was referring to currently being treated</p> <p>19 at Timothy Sullivan, because this was intake form</p> <p>20 initial visit.</p> <p>21 Q. Were you receiving therapy at the time</p> <p>22 you started your residency program?</p> <p>23 A. Yes.</p> <p>24 Q. From who?</p> <p>25 A. Sherry Colston.</p>
<p style="text-align: right;">Page 147</p> <p>1 saying that it's the start of my rotation.</p> <p>2 Q. When did you start that rotation?</p> <p>3 A. At the very end of -- I believe very</p> <p>4 last day or so of August 2017, right after I had</p> <p>5 all those meetings per accommodation request and</p> <p>6 they happened right before I was starting at the</p> <p>7 VA.</p> <p>8 (Exhibit 8 was marked for</p> <p>9 identification.)</p> <p>10 Q. I'll direct your attention to Exhibit</p> <p>11 8. Are you familiar with this document?</p> <p>12 A. Yes, they're my treatment notes with</p> <p>13 Michelle Batz from our sessions.</p> <p>14 Q. And let me represent to you that your</p> <p>15 counsel's office produced these documents in</p> <p>16 conjunction with this matter. Under the presenting</p> <p>17 problem, description, it provides client with</p> <p>18 heightened symptoms with transition to residency.</p> <p>19 Do you see that description?</p> <p>20 A. No, can you please repeat what page</p> <p>21 you're on?</p> <p>22 Q. I'm on the first page --</p> <p>23 A. Okay.</p> <p>24 Q. -- under description, presenting</p> <p>25 problem description.</p>	<p style="text-align: right;">Page 149</p> <p>1 Q. How often did you see Sherry Colston</p> <p>2 during your residency program?</p> <p>3 A. I didn't see her too often during my</p> <p>4 residency program. She filled in those gaps in</p> <p>5 care from before I started when my insurance</p> <p>6 expired and after I was terminated. But while I</p> <p>7 was at Hershey, the main point person that provided</p> <p>8 me therapy was Michelle Batz.</p> <p>9 Q. Prior to seeing Miss Batz, did you see</p> <p>10 anyone for therapy while you were in the residency</p> <p>11 program?</p> <p>12 A. Again Sherry Colston.</p> <p>13 Q. When did you see her during the</p> <p>14 residency program.</p> <p>15 A. In the beginning months and then after</p> <p>16 I was terminated.</p> <p>17 Q. What months did you see her at the</p> <p>18 start of the residency program?</p> <p>19 A. I would have to refer back to my</p> <p>20 patient notes to get you exact dates.</p> <p>21 Q. And did you see her in person?</p> <p>22 A. It was a mix of in person and remote.</p> <p>23 Q. I'm sorry, and -- and what?</p> <p>24 A. Remote.</p> <p>25 Q. So did you see Miss Colston prior to</p>



<p style="text-align: right;">Page 150</p> <p>1 seeing Miss Batz?</p> <p>2 A. Prior, yes.</p> <p>3 Q. But you don't remember when?</p> <p>4 A. No, I just know I saw her either</p> <p>5 monthly or bimonthly basis, but I can't give you</p> <p>6 the date after the top -- off the top of my head</p> <p>7 right now.</p> <p>8 Q. Directing your attention to the next</p> <p>9 question, what was helpful with your past</p> <p>10 treatment? And there's an answer there,</p> <p>11 medication; do you see that?</p> <p>12 A. Yes.</p> <p>13 Q. Were you on medication at the time you</p> <p>14 started the residency program?</p> <p>15 A. Yes.</p> <p>16 Q. What medication were you on?</p> <p>17 A. Cymbalta.</p> <p>18 Q. Anything else.</p> <p>19 A. No.</p> <p>20 Q. On the next page, 947, there's a</p> <p>21 question about history of suicidal ideation; do you</p> <p>22 see that question, in the lower portion the last</p> <p>23 section.</p> <p>24 A. Yes.</p> <p>25 Q. What is that history?</p>	<p style="text-align: right;">Page 152</p> <p>1 individual needs of client. It lists attend</p> <p>2 therapy, doesn't it?</p> <p>3 A. Yes.</p> <p>4 Q. Were there any other treatment plans</p> <p>5 as a result of your July meeting with Dr. Batz?</p> <p>6 A. Yes, there was also a plan to see a</p> <p>7 psychiatrist to get medication management.</p> <p>8 Q. Any other plans?</p> <p>9 A. To continue to perform self-care as</p> <p>10 best as I could.</p> <p>11 Q. And what do you mean by self-care?</p> <p>12 A. Getting sufficient sleep, having a</p> <p>13 good nutritious diet. Being able to exercise</p> <p>14 regularly, all of these things help me to be high</p> <p>15 functioning.</p> <p>16 (Exhibit 10 was marked.)</p> <p>17 Q. I'd like to direct your attention to</p> <p>18 Exhibit 10. Dr. Salcedo, there are a number of</p> <p>19 these faculty evaluation forms that have been</p> <p>20 produced during the discovery in this case. Are</p> <p>21 you familiar with these forms?</p> <p>22 A. Yes.</p> <p>23 Q. Would you receive a copy of these</p> <p>24 forms at or near time they were issued?</p> <p>25 A. Yes, I believe they would be uploaded</p>
<p style="text-align: right;">Page 151</p> <p>1 A. It's marked no, because there's no</p> <p>2 history.</p> <p>3 Q. I'm looking at it. And if you look at</p> <p>4 the screen, it appears to say yes.</p> <p>5 A. Oh, the top. Sorry. I was looking at</p> <p>6 the wrong -- history of suicidal ideation. Yes.</p> <p>7 So that's marked yes.</p> <p>8 Q. And what is that history?</p> <p>9 A. When I was younger, I struggled a lot</p> <p>10 with my disability.</p> <p>11 Q. So it was when you were younger?</p> <p>12 A. Yep.</p> <p>13 Q. What do you mean by younger?</p> <p>14 A. Teenager.</p> <p>15 Q. And under the question current</p> <p>16 suicidal ideation, the answer is no, correct?</p> <p>17 A. Yeah.</p> <p>18 Q. Are the rest of your answers on this</p> <p>19 form true and correct?</p> <p>20 A. To the best of my knowledge, yes.</p> <p>21 (Exhibit 9 was marked.)</p> <p>22 Q. And directing your attention to the</p> <p>23 next exhibit, number 9, which is a treatment plan.</p> <p>24 A. Okay.</p> <p>25 Q. Under the first number one, objective,</p>	<p style="text-align: right;">Page 153</p> <p>1 and then I could download them to review them.</p> <p>2 Q. And did you review them once you</p> <p>3 uploaded them.</p> <p>4 MS. LOPEZ: Objection,</p> <p>5 mischaracterizes testimony.</p> <p>6 Q. Once you had access to the documents,</p> <p>7 did you review them, the evaluations, did you</p> <p>8 regularly review them?</p> <p>9 A. Yes.</p> <p>10 Q. Did you ever submit rebuttals or any</p> <p>11 responses to the information contained in these</p> <p>12 evaluations?</p> <p>13 A. I believe I did ask for a follow-up</p> <p>14 and more feedback on the evaluation I got later in</p> <p>15 the year from Eddison Consult. But for this</p> <p>16 particular evaluation, I did not. I had a</p> <p>17 discussion at the end of the rotation with the</p> <p>18 attending to talk about my performance overall, and</p> <p>19 that was my feedback.</p> <p>20 Q. And who was that?</p> <p>21 A. Dr. Gishu Gofree.</p> <p>22 Q. Are there any documents that you</p> <p>23 submitted in response to these faculty evaluations.</p> <p>24 A. No.</p> <p>25 (Exhibit 11 was marked.)</p>

<p style="text-align: right;">Page 154</p> <p>1 Q. Directing your attention to Exhibit</p> <p>2 11. Are you familiar with this email exchange?</p> <p>3 A. Yes.</p> <p>4 Q. What is it?</p> <p>5 A. It's the email exchange between myself</p> <p>6 and Mark -- Hunder -- Hundertmark, who provided me</p> <p>7 the accommodation request form to give to</p> <p>8 Dr. Swallow.</p> <p>9 Q. Now, it said -- did you have an email</p> <p>10 address in conjunction with your position at</p> <p>11 Hershey Medical Center.</p> <p>12 A. You mean did I have an employee email,</p> <p>13 an employee design -- yes.</p> <p>14 Q. Excuse me?</p> <p>15 A. Yes.</p> <p>16 Q. What was that email address?</p> <p>17 A. psalcedo@pennstatehealth.psu.edu.</p> <p>18 Q. You didn't use that email address in</p> <p>19 this exchange, did you?</p> <p>20 A. I can't -- I can't tell from this</p> <p>21 document if I forwarded this to my personal email.</p> <p>22 It looks as though it was forwarded. And that I</p> <p>23 forwarded it to myself, to my personal email. But</p> <p>24 I also do see my Penn State email on this exhibit,</p> <p>25 as well.</p>	<p style="text-align: right;">Page 156</p> <p>1 Q. Well, if you turn to the next page,</p> <p>2 there's an ADA Accommodation rm.pdf, isn't there?</p> <p>3 A. Yes.</p> <p>4 Q. Did you access that form?</p> <p>5 A. Yes.</p> <p>6 Q. How many pages was that form?</p> <p>7 A. I think it was three to four pages.</p> <p>8 Q. Did you produce a copy of that form in</p> <p>9 conjunction with this litigation?</p> <p>10 A. Yes.</p> <p>11 Q. The three to four pages of the form?</p> <p>12 A. I know the part of the form that I had</p> <p>13 at the time, which I believe would have only been</p> <p>14 the first page definitely.</p> <p>15 MS. CONRAD: Well, I would make a</p> <p>16 formal request that the attachment to this email</p> <p>17 exchange, the complete attachment, be produced in</p> <p>18 discovery. I don't believe it's been produced.</p> <p>19 MS. LOPEZ: Counsel, I think this form</p> <p>20 is what I sent you last night.</p> <p>21 MS. CONRAD: Well, see, I have not had</p> <p>22 the opportunity to review what was sent last night.</p> <p>23 MS. LOPEZ: And I tried to describe it</p> <p>24 in the email for your convenience. But there was a</p> <p>25 three- or four-page form that was in Dr. Munoz's</p>
<p style="text-align: right;">Page 155</p> <p>1 Q. Where?</p> <p>2 A. Near the top it says,</p> <p>3 psalcedo@pennstatehealth.psu.edu.</p> <p>4 Q. Right. And then I see the from,</p> <p>5 buddy4732@gmail.com. So doesn't it appear as if</p> <p>6 you forwarded from your gmail account to your Penn</p> <p>7 State Health account?</p> <p>8 A. That would seem reasonable, yes.</p> <p>9 Q. So why were you initially</p> <p>10 communicating with HR Solutions at Penn State</p> <p>11 Health from your gmail account?</p> <p>12 A. Just coincidence. It's my personal</p> <p>13 email. And that's what I reached out using.</p> <p>14 Q. In Miss Hundertmark's message to you,</p> <p>15 she expressly says, please let us know if you have</p> <p>16 any difficulties bringing up the form or have</p> <p>17 questions about it. Do you see that?</p> <p>18 A. Yes.</p> <p>19 Q. And now there was an attachment with</p> <p>20 the form, wasn't there?</p> <p>21 A. There's the form itself. And I see</p> <p>22 something that says .GIF. So that could be a logo</p> <p>23 or someone's signature or something there, but it</p> <p>24 doesn't look like it's a document. It's an image</p> <p>25 of some sort.</p>	<p style="text-align: right;">Page 157</p> <p>1 file that was the complete form. The only document</p> <p>2 that we have in discovery or in our possession is</p> <p>3 the one page of the ADA form, which you already</p> <p>4 have.</p> <p>5 MS. CONRAD: Well, I would request</p> <p>6 that Dr. Salcedo return to his personal email</p> <p>7 and/or -- well, probably he cannot access his Penn</p> <p>8 State health email, but it should be contained in</p> <p>9 his gmail account and I would request the copy that</p> <p>10 he received.</p> <p>11 MS. LOPEZ: I will. I will definitely</p> <p>12 do that.</p> <p>13 MS. CONRAD: Thank you.</p> <p>14 BY MS. CONRAD:</p> <p>15 Q. Oh, and I apologize if I asked this</p> <p>16 question, I got sidetracked. Did you follow up</p> <p>17 with Miss Hundertmark and ask any questions in</p> <p>18 response to her message to please let her know if</p> <p>19 you have any questions?</p> <p>20 A. No, I didn't have any questions at the</p> <p>21 time after meeting with Dr. Swallow.</p> <p>22 Q. So what was your understanding when</p> <p>23 you received this form from HR as to what the next</p> <p>24 steps were in the accommodation process?</p> <p>25 A. That I would review it with my mental</p>

<p style="text-align: right;">Page 158</p> <p>1 health provider, as well as Dr. Swallow. And that</p> <p>2 that package would get sent to HR.</p> <p>3 Q. And did you have any follow-up with HR</p> <p>4 about the accommodation process?</p> <p>5 A. No.</p> <p>6 Q. Why not?</p> <p>7 A. When I presented this document to</p> <p>8 Dr. Swallow, she gave me the instruction that she</p> <p>9 would be handing in my accommodations, and that I</p> <p>10 would be going directly through her and that there</p> <p>11 was no need for this form or this process anymore.</p> <p>12 Q. Did you talk to the chiefs about this</p> <p>13 form or this process?</p> <p>14 A. No, I already brought this form to</p> <p>15 Dr. Swallow.</p> <p>16 Q. But you are alleging that you had</p> <p>17 spoken to the chiefs about accommodation requests,</p> <p>18 correct?</p> <p>19 A. Yes.</p> <p>20 Q. Why didn't you talk to the chiefs</p> <p>21 about the accommodation process?</p> <p>22 A. The form seemed more appropriately</p> <p>23 designated for Dr. Swallow as my direct supervisor</p> <p>24 and the program director. The chiefs have to</p> <p>25 notify residents that they could reach out with any</p>	<p style="text-align: right;">Page 160</p> <p>1 A. No, I was only able to get some. But</p> <p>2 the ones I was able to screenshot have been</p> <p>3 provided.</p> <p>4 (Exhibit 14 was marked.)</p> <p>5 Q. Let me direct your attention to</p> <p>6 Exhibit 14. What is Exhibit 14?</p> <p>7 A. That is a treatment provider note from</p> <p>8 Dr. Britt Marshall in the clinic.</p> <p>9 Q. How did you obtain a copy of this</p> <p>10 patient note?</p> <p>11 A. I believe from the patient side on the</p> <p>12 patient portal, you have access to your notes. So</p> <p>13 it would have been something I probably printed</p> <p>14 out.</p> <p>15 Q. And this is an outpatient note from a</p> <p>16 meeting with Dr. Marshall on August 2017, correct?</p> <p>17 A. Yes.</p> <p>18 Q. And in the first paragraph -- I'm</p> <p>19 sorry, what?</p> <p>20 A. Sorry, 25th.</p> <p>21 Q. August 25th, thank you. The first</p> <p>22 section is a chief complaint, isn't it?</p> <p>23 A. Yes.</p> <p>24 Q. And next section is a history of</p> <p>25 present illness, isn't it?</p>
<p style="text-align: right;">Page 159</p> <p>1 concerns or scheduling issues. But that's a little</p> <p>2 different than actually completing accommodation</p> <p>3 request forms.</p> <p>4 (Exhibit 13 was marked.)</p> <p>5 Q. I want to direct your attention to</p> <p>6 Exhibit 13. And I will be skipping several of the</p> <p>7 exhibits now that Dr. Salcedo has testified to the</p> <p>8 faculty evaluation process. So I believe we --</p> <p>9 this already discussed this email message or</p> <p>10 exchange with Dr. Kogut, didn't we?</p> <p>11 A. Yes.</p> <p>12 Q. How did you have possession of this</p> <p>13 email message?</p> <p>14 A. I believe that when I was terminated,</p> <p>15 one of the actions I took would actions I took was</p> <p>16 to take screen shots of any email that I thought</p> <p>17 would be relevant or important before I lost</p> <p>18 access.</p> <p>19 Q. And have you produced all of those</p> <p>20 screen shots?</p> <p>21 A. Yes.</p> <p>22 Q. You'll agree with me, won't you,</p> <p>23 though, that you did not -- you do not have screen</p> <p>24 shots of all of the email exchanges in this case,</p> <p>25 do you?</p>	<p style="text-align: right;">Page 161</p> <p>1 A. Yes.</p> <p>2 Q. And in that section, she notes a past</p> <p>3 medical history of generalize anxiety, social</p> <p>4 anxiety, ADHD and major depressive disorder,</p> <p>5 doesn't she?</p> <p>6 A. Yes.</p> <p>7 Q. On the next page there's a review of</p> <p>8 systems section. And it notes that the patient</p> <p>9 does have some social anxiety since beginning his</p> <p>10 intern year residency, doesn't it?</p> <p>11 A. Yes, yes.</p> <p>12 Q. And then it again lists that past</p> <p>13 medical history, doesn't it?</p> <p>14 A. Yes.</p> <p>15 Q. And then towards the end of the</p> <p>16 document, is a section titled assessment and plan;</p> <p>17 do you see that?</p> <p>18 A. Yes.</p> <p>19 Q. And number three refers to a plan</p> <p>20 related to the generalized anxiety major depressive</p> <p>21 disorder and ADHD, doesn't it?</p> <p>22 A. Yes.</p> <p>23 Q. And what is that plan?</p> <p>24 A. To continue my therapy with my</p> <p>25 therapist and my medication management with my</p>

<p style="text-align: right;">Page 162</p> <p>1 psychiatrist.</p> <p>2 Q. Well, it says well we follow up with</p> <p>3 both his psychiatrist and psychologist for further</p> <p>4 management, doesn't it?</p> <p>5 A. Yes.</p> <p>6 Q. And does the plan make any reference</p> <p>7 to accommodations?</p> <p>8 A. No. This visit was -- although Britt</p> <p>9 Marshall was part of the program, and on the</p> <p>10 competency committee, this was purely a personal</p> <p>11 clinic visit. It was not part of my sequence of</p> <p>12 meetings to request accommodations.</p> <p>13 Q. So Dr. Marshall was not involved in</p> <p>14 your accommodation request?</p> <p>15 MS. LOPEZ: Objection.</p> <p>16 Mischaracterization of testimony.</p> <p>17 Q. Was Dr. Marshall involved in your</p> <p>18 accommodation request?</p> <p>19 A. In her capacity as a chief resident,</p> <p>20 yes. In her capacity as my primary care provider,</p> <p>21 no.</p> <p>22 (Exhibit 16 was marked.)</p> <p>23 Q. Directing your attention to Exhibit</p> <p>24 16.</p> <p>25 MS. LOPEZ: Is this for the record,</p>	<p style="text-align: right;">Page 164</p> <p>1 A. During my treatment visit with</p> <p>2 Dr. Frank Munoz after our discussion on what</p> <p>3 accommodations would suit me best. He wrote this</p> <p>4 letter in front of me to give to Dr. Swallow.</p> <p>5 Q. So did I hear you right, after you</p> <p>6 informed Dr. Munoz as to the accommodations that</p> <p>7 would suit you best, he then drafted this letter?</p> <p>8 A. No. After we had a discussion --</p> <p>9 Q. Then I didn't hear you correctly. Say</p> <p>10 it again, please.</p> <p>11 A. After we had a discussion on</p> <p>12 appropriate accommodations that would be helpful,</p> <p>13 this is what he decided on and wrote down.</p> <p>14 Q. At the time, did you have any sort of</p> <p>15 program description, job description, resident</p> <p>16 description with you during the August 28th meeting</p> <p>17 with Dr. Munoz?</p> <p>18 A. No.</p> <p>19 Q. Did you provide any information to him</p> <p>20 about the program requirements, the residency</p> <p>21 requirements, that needed to be met in your</p> <p>22 conversation with Dr. Munoz on August 28th?</p> <p>23 A. I believe -- I believe we had a brief</p> <p>24 discussion on the general expectations. But I</p> <p>25 didn't provide additional documentation.</p>
<p style="text-align: right;">Page 163</p> <p>1 counsel, we're skipping Exhibit 15, right?</p> <p>2 MS. CONRAD: Correct. As I previously</p> <p>3 said, having received testimony from Dr. Salcedo</p> <p>4 about the faculty evaluations, there's no reason,</p> <p>5 nor will I review, those subsequent evaluations</p> <p>6 during this deposition.</p> <p>7 MS. LOPEZ: I understand. I just want</p> <p>8 to make sure, so that when we look back on this in</p> <p>9 a couple months or longer, we have a clear clarity</p> <p>10 about what happened to the exhibits. And I just</p> <p>11 wanted to make sure and put it on the record.</p> <p>12 BY MS. CONRAD:</p> <p>13 Q. Directing your attention to Exhibit</p> <p>14 16, are you familiar with this document?</p> <p>15 A. Yes.</p> <p>16 Q. What is it?</p> <p>17 A. It's letter of accommodation request</p> <p>18 that I received from Dr. Frank Munoz to give to</p> <p>19 Dr. Swallow at the end of August of 2017.</p> <p>20 Q. And it's dated August 28, 2017, isn't</p> <p>21 it?</p> <p>22 A. Yes.</p> <p>23 Q. And when did you obtain this document?</p> <p>24 A. August 28, 2017.</p> <p>25 Q. And how did you obtain this document?</p>	<p style="text-align: right;">Page 165</p> <p>1 Q. At any time, did you provide</p> <p>2 documentation to Dr. Munoz about the program</p> <p>3 requirements?</p> <p>4 A. No.</p> <p>5 Q. The letter is addressed to whom it may</p> <p>6 concern. Do you see that?</p> <p>7 A. Yes.</p> <p>8 Q. Do you know why it's not addressed to</p> <p>9 a specific individual?</p> <p>10 A. That is just how Dr. Frank Munoz wrote</p> <p>11 the letter.</p> <p>12 Q. Did you ask him to address it to</p> <p>13 anyone?</p> <p>14 A. I told him it was for Dr. Swallow.</p> <p>15 But again, that's just how he wrote the letter. I</p> <p>16 cannot say why he chose that wording.</p> <p>17 Q. It's also handwritten as opposed to</p> <p>18 typed. Do you know why it was hand written?</p> <p>19 A. I would lean towards the side of</p> <p>20 Dr. Frank Munoz is a little more traditional and</p> <p>21 still uses fax and keeps a lot of paper files and</p> <p>22 that's just how he does things.</p> <p>23 Q. This appears to be a photo of the</p> <p>24 letter, is it?</p> <p>25 A. Yes.</p>

<p style="text-align: right;">Page 166</p> <p>1 Q. Why did you take a photo of the</p> <p>2 letter?</p> <p>3 A. For my record.</p> <p>4 Q. Do you have the original?</p> <p>5 A. I believe so. I believe that's</p> <p>6 already been shared.</p> <p>7 Q. The original has been sent?</p> <p>8 A. I believe so.</p> <p>9 MS. CONRAD: We'll review our records.</p> <p>10 If it has not, then I'll request production or an</p> <p>11 opportunity to review the original.</p> <p>12 MS. LOPEZ: No problem.</p> <p>13 BY MS. CONRAD:</p> <p>14 Q. And I'm sorry. I may have asked this.</p> <p>15 Why did you take a photo of it?</p> <p>16 A. For my records.</p> <p>17 Q. When did you take a photo of it?</p> <p>18 A. Shortly after receiving it. I'm not</p> <p>19 sure. Probably when I got back home.</p> <p>20 Q. Was that before you allegedly had a</p> <p>21 meeting with Dr. Swallow?</p> <p>22 A. Yeah. I took a picture of this before</p> <p>23 I had the meeting with Dr. Swallow on the 30th.</p> <p>24 Q. Did you ever share this letter to the</p> <p>25 chiefs?</p>	<p style="text-align: right;">Page 168</p> <p>1 supervisor.</p> <p>2 Q. Then why did you even raise the issue</p> <p>3 of accommodations with the chiefs?</p> <p>4 A. Again, to be proactive to see what was</p> <p>5 available, and how to be working more closely with</p> <p>6 the chiefs and the chiefs had prior to sending an</p> <p>7 email to all the residents, saying that if we had</p> <p>8 any concerns, anything we wanted to talk about or</p> <p>9 any requests, to meet with them, to reach out. So</p> <p>10 that's exactly what I did.</p> <p>11 Q. Well, why not be proactive with the</p> <p>12 chiefs and show them this letter that addressed</p> <p>13 accommodations?</p> <p>14 MS. LOPEZ: Objection. Argumentative</p> <p>15 and asked and answered.</p> <p>16 Q. You can answer.</p> <p>17 A. I was proactive with the chiefs. I</p> <p>18 organized the meeting to meet with them and reached</p> <p>19 out initially.</p> <p>20 This letter was not intended for the</p> <p>21 chiefs, because the chiefs only have so much power</p> <p>22 over my schedule. There's things that they can</p> <p>23 help with and accommodations they can try to put</p> <p>24 into place. Ultimately, as the resident agreement</p> <p>25 noted, the person responsible for my scheduling,</p>
<p style="text-align: right;">Page 167</p> <p>1 A. No. This letter was intended for</p> <p>2 Dr. Swallow. She was the only person I gave it to.</p> <p>3 Q. It says, to whom it may concern,</p> <p>4 doesn't it?</p> <p>5 A. I understand that. But the letter was</p> <p>6 intended for Dr. Swallow. So it was given to</p> <p>7 Dr. Swallow.</p> <p>8 Q. But you were talking -- according to</p> <p>9 your testimony, you were talking about</p> <p>10 accommodations with the chiefs, weren't you?</p> <p>11 A. Yes. That was me being very proactive</p> <p>12 and reaching out to multiple channels to get help</p> <p>13 on different fronts.</p> <p>14 Q. Why then, if you're talking to the</p> <p>15 chiefs about accommodations, you didn't show them</p> <p>16 this letter that addressed accommodations.</p> <p>17 A. Well, if you recall, I met with them</p> <p>18 on the 25th of August. So this letter did not yet</p> <p>19 exist. It was written August 28th.</p> <p>20 Q. Well, you continued to meet with them</p> <p>21 after August 28th, didn't you?</p> <p>22 A. Yes. After I gave the letter to</p> <p>23 Dr. Swallow, and she said she understood there</p> <p>24 would have been no need to show the letter to</p> <p>25 anyone else. Dr. Swallow is my direct reporting</p>	<p style="text-align: right;">Page 169</p> <p>1 duty hours and modifications is the program</p> <p>2 director, Dr. Swallow.</p> <p>3 Q. When you sent an email to Dr. Kogut on</p> <p>4 October 4, 2017, sometime after August 28th, and</p> <p>5 that's when what you expressed concern about</p> <p>6 starting wards; do you recall that email?</p> <p>7 A. Yes.</p> <p>8 Q. Why didn't you raise in October of</p> <p>9 2017 when you were -- had concerns about starting</p> <p>10 wards, some of these suggestions from Dr. Munoz?</p> <p>11 A. I believe I did raise them. There's</p> <p>12 an email communications in which I can prompt and</p> <p>13 request accommodations. There's one in October and</p> <p>14 one in November.</p> <p>15 Q. To who?</p> <p>16 A. One is addressed to Dr. James Kogut.</p> <p>17 And one is addressed to Dr. Nicole Swallow.</p> <p>18 Q. And did you send Dr. Kogut the Dr.</p> <p>19 Munoz August 28th, 2017 letter in conjunction with</p> <p>20 that communication.</p> <p>21 MS. LOPEZ: Objection. Asked and</p> <p>22 answered.</p> <p>23 Q. You can answer the question.</p> <p>24 A. Again, no, because he was not the</p> <p>25 appropriate person to give that letter to.</p>

Page 170

1 Q. In November when you had this  
2 communications with Dr. Swallow, did you attach and  
3 remind her about Dr. Munoz's recommendations?  
4 A. I reminded her about the need for  
5 accommodations, but having -- having given her the  
6 form already, I did not attach it again.  
7 Q. Why not?  
8 A. Because I didn't see the need to  
9 attach a form again that I had already presented to  
10 Dr. Swallow.  
11 (Exhibit 17 was marked.)  
12 Q. Directing your attention to an email  
13 at Exhibit 17. Now the meeting you had with  
14 Dr. Swallow in which you allegedly presented to  
15 Dr. Munoz handwritten note was when?  
16 A. August 30th.  
17 Q. And as you look at Exhibit 17, what is  
18 it?  
19 A. It's an email, again, of me as  
20 customary of me to respond, being polite and  
21 following up after a meeting, thanking her for her  
22 time for, listening to me and for providing the  
23 support?  
24 Q. Well, let's break it down a little  
25 bit. So after the meeting that you had with

Page 171

1 Dr. Swallow on August 30th in which you allegedly  
2 presented an accommodation form, and then the Munoz  
3 letter, you sent her an email and thanked her for  
4 meeting with you, right?  
5 A. Yes.  
6 Q. And you say, I'm really happy and  
7 relieved at the support that has been extended to  
8 me here; do you see that?  
9 A. Yes.  
10 Q. You say, I did not expect that, don't  
11 you?  
12 A. Yes.  
13 Q. You go on to say, I will do my very  
14 best -- oh, it made the world of difference to know  
15 you're not alone, don't you?  
16 A. Yes.  
17 Q. And you go on to say, I'll give my  
18 very best to stay strong and get over this anxiety,  
19 don't you?  
20 A. Yes.  
21 Q. And then you add a P.S., sorry for the  
22 anxious tears, don't you?  
23 A. Yes.  
24 Q. Do you make my reference to the Munoz  
25 letter in this email?

Page 172

1 A. No.  
2 Q. Do you make any reference to the  
3 accommodation form in this email?  
4 A. No. This was simply a follow-up email  
5 out respect and being polite.  
6 (Exhibit 18 was marked.)  
7 Q. Let me direct your attention to  
8 Exhibit 18. What is Exhibit 18?  
9 A. It starts with the email -- I mean,  
10 text message thread between myself and Dr. Kogut.  
11 Q. And what is the communications about?  
12 A. First it seems I'm reaching out to  
13 talk to Dr. James Kogut again. He notes he has an  
14 interview tomorrow, but that we'll be in touch once  
15 it's finished. And I say, no rush, good luck  
16 tomorrow. And there seems to be 10/23, good  
17 morning, James. And there's February 24th, 2018,  
18 hey James, it's Pablo. Can I talk to you when you  
19 have a time? And that would be the time where I  
20 subsequently removed myself from service.  
21 Q. So these text messages range from  
22 September 2017 to February 2018, correct?  
23 A. Yes.  
24 Q. Are these the only text message  
25 exchanges you had with Dr. Kogut?

Page 173

1 A. To the best of my knowledge, yes.  
2 Q. Have you made a complete search of  
3 your cell phone and your cell phone records?  
4 A. Yes.  
5 (Exhibit 20 was marked.)  
6 Q. I'll direct your attention to Exhibit  
7 20. Are you familiar with this document?  
8 A. Yes.  
9 Q. What is it?  
10 A. It's another reminder for myself to  
11 Dr. Swallow on October 30th, 2017 to implement some  
12 of the accommodations that were previously  
13 discussed.  
14 Q. You don't use the word accommodations,  
15 do you?  
16 A. I say if we can implement anything  
17 that we've talked about to make the transition  
18 easier, which would be the accommodations.  
19 Q. You don't use the word accommodation  
20 in the email, do you?  
21 A. No.  
22 Q. And this email, it takes place on  
23 October 30th, 2017, doesn't it?  
24 A. Yes.  
25 Q. So what -- and it's before you start



<p style="text-align: right;">Page 174</p> <p>1 wards, correct?</p> <p>2 A. Yes.</p> <p>3 Q. So what had you discussed with</p> <p>4 Dr. Swallow prior to starting wards in late October</p> <p>5 of 2017?</p> <p>6 MS. LOPEZ: Counsel, do you mean at</p> <p>7 any time?</p> <p>8 MS. CONRAD: No.</p> <p>9 BY MS. CONRAD:</p> <p>10 Q. You say -- Dr. Salcedo, you say, it</p> <p>11 would be great to meet sometime prior to when I</p> <p>12 start wards to see if we can implement anything</p> <p>13 that we talked about to make the transition easier;</p> <p>14 do you see that statement?</p> <p>15 A. Yes.</p> <p>16 Q. Is the transition you're referring to</p> <p>17 the transition to starting wards?</p> <p>18 A. Yes.</p> <p>19 Q. So what had you discussed with</p> <p>20 Dr. Swallow about implementing to make the</p> <p>21 transition easier to wards, to wards?</p> <p>22 A. We had discussed modifying my schedule</p> <p>23 to make it less erratic and more consistent and so</p> <p>24 that it would provide more time for self-care and</p> <p>25 sleep.</p>	<p style="text-align: right;">Page 176</p> <p>1 be that specific.</p> <p>2 MS. CONRAD: Let me rephrase.</p> <p>3 BY MS. CONRAD:</p> <p>4 Q. Dr. Salcedo, as you reference in</p> <p>5 Exhibit 20, did you meet with Dr. Swallow prior to</p> <p>6 starting wards?</p> <p>7 A. Yes.</p> <p>8 Q. Did you meet with Dr. Swallow prior to</p> <p>9 starting wards to see if we can implement anything</p> <p>10 that we talked about to make the transition easier?</p> <p>11 A. Yes, on August 30th.</p> <p>12 Q. But this email is October 30th.</p> <p>13 A. Yes. And I still had not gotten --</p> <p>14 Q. What did you discuss in October --</p> <p>15 what did you discuss on August 30th about wards?</p> <p>16 A. We discussed the need to have a</p> <p>17 modified schedule and reduced work hours to offer</p> <p>18 for better sleep.</p> <p>19 Q. In order to transition into wards?</p> <p>20 A. In order for me to be able to have my</p> <p>21 disability addressed and to be high functioning and</p> <p>22 to excel in the new wards.</p> <p>23 Q. And did you specifically discuss wards</p> <p>24 in your August 30th meeting?</p> <p>25 A. Yes. If you recall the dates, the</p>
<p style="text-align: right;">Page 175</p> <p>1 Q. And when did you have that discussion</p> <p>2 with Dr. Swallow?</p> <p>3 A. On August 30th, as well as December</p> <p>4 14.</p> <p>5 Q. August 30th and when else?</p> <p>6 A. December 14th.</p> <p>7 Q. December?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. I'm focusing on pre-September</p> <p>10 -- pre-November. You're about to start wards,</p> <p>11 right?</p> <p>12 A. Yes.</p> <p>13 Q. And in this email, you ask to meet</p> <p>14 prior to starting wards to implement anything we've</p> <p>15 talked about to make the transition to wards</p> <p>16 easier, right?</p> <p>17 A. Yes.</p> <p>18 Q. So when did you meet with Dr. Swallow</p> <p>19 to discuss the transition to wards, to wards?</p> <p>20 MS. LOPEZ: I'm going to have to</p> <p>21 object, because I think there's no foundation for</p> <p>22 that particular fact. If you're asking, did you</p> <p>23 meet with Dr. Swallow to discuss the transition to</p> <p>24 wards, then I think I understand your question.</p> <p>25 But as it's stated, I'm not sure I understood it to</p>	<p style="text-align: right;">Page 177</p> <p>1 August 30th meeting was also prompted by starting</p> <p>2 wards, the VA wards. So shortly after that</p> <p>3 meeting, I started my rotation of the VA wards.</p> <p>4 Q. Then why were you asking on October</p> <p>5 30th, to meet prior to starting wards?</p> <p>6 A. So the way the schedule works, it's</p> <p>7 not consistently one rotation throughout the whole</p> <p>8 year. So I could be doing a bulk of wards for two</p> <p>9 weeks, and then going to an elective.</p> <p>10 So, I was about to start again a bulk</p> <p>11 of ward rotations. And that prompted that email</p> <p>12 before I started that bulk of rotation.</p> <p>13 Q. So the two meetings you had with</p> <p>14 Dr. Swallow to -- in which you discussed</p> <p>15 implementing things to make the transition easier,</p> <p>16 took place on August 30th and December 14th; is</p> <p>17 that right?</p> <p>18 A. If you were including all meetings,</p> <p>19 you would have to include February 26th, also.</p> <p>20 Is it possible to take a small</p> <p>21 restroom break. I don't know how short we can do</p> <p>22 it.</p> <p>23 MS. CONRAD: It's currently 2:49. Do</p> <p>24 we want to take a break and return at 3:00?</p> <p>25 MS. LOPEZ: That's fine with me.</p>

<p style="text-align: right;">Page 178</p> <p>1 THE VIDEOGRAPHER: Okay. Let me just  2 go off the record. It's 2:49 p.m. and we're going  3 off the record.  4 (Discussion held off the record.)  5 (A break was taken.)  6 THE VIDEOGRAPHER: The time is now  7 3:03 p.m. We're going back on the record.  8 MS. LOPEZ: Before we start, we did  9 have an exchange with -- counsel had an exchange.  10 And I just want to state that we are -- plaintiff  11 is reserving all objections except as to form of  12 the question until trial. And also, the Plaintiff  13 would like to read and sign this deposition.  14 In addition, we conferred further  15 about the need for additional time. And just to be  16 clear, plaintiff is willing to continue until day's  17 end to complete the exhibits and review the  18 deposition that were planned for today and discuss  19 additional time as needed. But we were -- we  20 object to having the day end earlier than 5:00,  21 especially given that we were prepared to go  22 forward for seven hours of depositions today. I  23 just want to put that on the record.  24 MS. CONRAD: And I just briefly want  25 to add to the record that we -- I have no issue</p>	<p style="text-align: right;">Page 180</p> <p>1 23? Are you familiar with this document?  2 A. Yes.  3 Q. What is it?  4 A. It's my duty hours or my log hours.  5 I'm required as part of my job to record the hours  6 that I work.  7 Q. So I want to make sure I understand  8 your testimony. You make a record of the hours  9 that you work; is that correct?  10 A. Yes.  11 Q. And how do you record them?  12 A. So I believe there was a portal or  13 some type of web interface application for you  14 would log in and you would be able to report your  15 time for the day. And you could mark it, the  16 training location, what type of duty and then you  17 would just save it. And every so often you would  18 have to submit almost like how you do with time  19 stubs.  20 Q. So was there a time clock which  21 actually recorded the time you started on the  22 service until the time you clocked out?  23 A. No. There was only the designated  24 time that you were considered on duty. So these  25 hours largely reflect that. And sometimes they</p>
<p style="text-align: right;">Page 179</p> <p>1 with continuing the deposition until 5:00 tonight.  2 I do, as I noted in the start of the deposition, we  3 received a supplemental production late last night,  4 as well as early this morning. And I have not had  5 the opportunity to review those documents.  6 So in light of the fact that we will  7 need to recall the witness for a second day to  8 review that late production, I will continue with  9 whatever remaining time there is to conclude the  10 deposition as well as make a determination whether  11 we will seek additional time for the plaintiff's  12 continued deposition. Are we ready to proceed?  13 MS. LOPEZ: Yes.  14 MS. CONRAD: Thank you.  15 BY MS. CONRAD:  16 Q. Dr. Salcedo, were you aware that in  17 November of 2017, mid-year resident reviews were  18 about to commence?  19 A. No.  20 Q. Did you receive any information about  21 a mid-year review by the clinical competency  22 committee?  23 A. Not that I can recall.  24 (Exhibit 23 was marked.)  25 Q. Can I direct your attention to Exhibit</p>	<p style="text-align: right;">Page 181</p> <p>1 would be more, even though if I was scheduled a  2 certain amount of hours, I may exceed those hours  3 depending on the patient load that day.  4 (Exhibit 24 was marked.)  5 Q. And my question then goes to Exhibit  6 23. This is your recording of the hours, correct?  7 A. Yes.  8 Q. I want to direct your attention to  9 Exhibit 24. Are you familiar with this document?  10 A. I have seen it, yes.  11 Q. Did you see it prior to discovery?  12 A. No.  13 Q. Do you know what -- can you explain  14 this document?  15 A. Yeah, so these -- this document is  16 taking those core competencies and trending them  17 through time. However, the different categories,  18 there's only one time. There's only a recording  19 for December 2017. So it's actually incomplete,  20 because you can't trend with just one date. So  21 these markings are only showing scores for December  22 2017.  23 Q. And it's titled on the left-hand side  24 CCC Milestone Review. Do you know what that means?  25 A. That's related to the clinical</p>



<p style="text-align: right;">Page 182</p> <p>1 competency committee meeting in which they evaluate</p> <p>2 residents' progress through the year.</p> <p>3 Q. And there are numbers following the</p> <p>4 round chart under December 2017. There are numbers</p> <p>5 that start with 3.0. Do you know what those</p> <p>6 numbers signify.</p> <p>7 A. I believe they're the score that you</p> <p>8 would have received from the evaluator on a scale</p> <p>9 of zero to five.</p> <p>10 Q. Did you receive any fives?</p> <p>11 A. I believe I may have received a five</p> <p>12 or a couple fours.</p> <p>13 Q. I'm directing your attention to</p> <p>14 Exhibit 24. Did you receive any -- a score of five</p> <p>15 in any of these listings?</p> <p>16 A. I'm a little unclear if this is a</p> <p>17 compilation of all scores, or if this is one score</p> <p>18 in time, as in an evaluation from one person; or if</p> <p>19 it is the sum of all the evaluations from all my</p> <p>20 evaluators. And these are --</p> <p>21 Q. Mr. Salcedo, regardless of how it is</p> <p>22 compiled, on the CCC Milestone Review at Exhibit</p> <p>23 24, did you receive a score of five in any</p> <p>24 category?</p> <p>25 A. I'm not seeing a five there.</p>	<p style="text-align: right;">Page 184</p> <p>1 amnestic episode. And so by that very nature, I</p> <p>2 don't remember that much from this day or this</p> <p>3 event.</p> <p>4 Q. Do you remember calling Dr. Marshall?</p> <p>5 A. No.</p> <p>6 Q. Do you recall informing Dr. Marshall</p> <p>7 that you had your step three exam that morning and</p> <p>8 couldn't see very well?</p> <p>9 A. No, I don't remember that</p> <p>10 conversation.</p> <p>11 Q. Do you remember the phone being passed</p> <p>12 to your roommate Antonio?</p> <p>13 A. No. But I do remember my roommate</p> <p>14 being there driving.</p> <p>15 Q. Do you remember going to the grocery</p> <p>16 store either that morning or the prior evening?</p> <p>17 A. I do remember going to the grocery</p> <p>18 store. I went to Giant and bought fruit.</p> <p>19 Q. Do you remember to admitting to</p> <p>20 driving on the wrong side of the road?</p> <p>21 A. No.</p> <p>22 Q. Do you remember the dent on your car?</p> <p>23 A. I saw it after, afterwards, the</p> <p>24 scratch at the bottom of the car trim that I</p> <p>25 visually inspected after the fact, after the</p>
<p style="text-align: right;">Page 183</p> <p>1 Q. We can agree, can't we, that you</p> <p>2 received one score of four, correct?</p> <p>3 A. Yes.</p> <p>4 Q. And I believe there are three scores</p> <p>5 of three -- oh, no, five scores of 3.5; is that</p> <p>6 correct?</p> <p>7 A. Yes.</p> <p>8 Q. And the remaining scores were 3.0?</p> <p>9 A. Correct.</p> <p>10 (Exhibit 25 was marked.)</p> <p>11 Q. And I want to direct your attention to</p> <p>12 Exhibit 25. This is exhibit dated December 6th,</p> <p>13 2017. And it's from Dr. Marshall to Dr. Swallow;</p> <p>14 do you see that designation?</p> <p>15 A. Yes.</p> <p>16 Q. Have you seen this document prior to</p> <p>17 the exchange of discovery documents?</p> <p>18 A. No.</p> <p>19 Q. I just want to walk you through it and</p> <p>20 see if you agree with the information that</p> <p>21 Dr. Marshall recorded. She relates that at 7:32</p> <p>22 this morning, meaning December 6th, she was</p> <p>23 initially called by Pablo; is that correct?</p> <p>24 A. Again, I will preface my subsequent</p> <p>25 responses with the fact that I'm experiencing</p>	<p style="text-align: right;">Page 185</p> <p>1 amnestic side effects wore off.</p> <p>2 Q. And could you remember how that</p> <p>3 scraping or that dent happened?</p> <p>4 A. At the time, no.</p> <p>5 Q. Do you have any recollections up until</p> <p>6 today?</p> <p>7 MS. LOPEZ: Recollection of?</p> <p>8 Q. What happened to your car.</p> <p>9 A. No, I can just give you the best</p> <p>10 assumption of auto mechanics and people that work</p> <p>11 on cars, that it looks like I scraped the bottom of</p> <p>12 a curb, like sort of the parking dividers.</p> <p>13 Q. Do you recall that you couldn't locate</p> <p>14 your cell phone?</p> <p>15 A. I believe, yes.</p> <p>16 Q. Do you recall Dr. Marshall</p> <p>17 recommending that you go to the emergency room?</p> <p>18 A. No.</p> <p>19 Q. Do you recall stating that you wanted</p> <p>20 to go take the test?</p> <p>21 A. No.</p> <p>22 Q. At the time were you using Xanax or</p> <p>23 alcohol or any other substance?</p> <p>24 A. I'm not a drinker, so I can</p> <p>25 definitely say I was not using alcohol. And at</p>

<p style="text-align: right;">Page 186</p> <p>1 the time I was taking the prescribed medications</p> <p>2 that were given to me. But it wasn't Xanax. It</p> <p>3 was Cymbalta and another, diazepam.</p> <p>4 Q. How did you get to the exam?</p> <p>5 A. My roommate drove me.</p> <p>6 Q. Did you contact your psychiatrist and</p> <p>7 psychologist after the exam?</p> <p>8 A. Yes.</p> <p>9 Q. And what was the result of that</p> <p>10 content?</p> <p>11 A. My psychiatrist discontinued the</p> <p>12 medication that caused the adverse side effect.</p> <p>13 Q. Dr. Marshall in the second paragraph</p> <p>14 says that she spoke to Dr. Swallow, that she will</p> <p>15 email and text you to meet with Dr. Swallow</p> <p>16 tomorrow, and the likely conclusion is that he will</p> <p>17 need to meet with his psychiatrist to formally</p> <p>18 evaluate him for fitness for duty and possibly an</p> <p>19 evaluation for other potential causes for this</p> <p>20 erratic behavior. Do you see that statement by</p> <p>21 Dr. Marshall?</p> <p>22 A. Yes.</p> <p>23 Q. Do you agree with that assessment?</p> <p>24 A. Are you --</p> <p>25 MS. LOPEZ: Are you asking whether he</p>	<p style="text-align: right;">Page 188</p> <p>1 MS. LOPEZ: So then my objection is</p> <p>2 compound question.</p> <p>3 BY MS. CONRAD:</p> <p>4 Q. Do you agree with Dr. Snyder's -- not</p> <p>5 Snyder -- Dr. Marshall's assessment that begins</p> <p>6 with, the likely conclusion?</p> <p>7 A. No, I don't agree fully with that</p> <p>8 statement. I would agree with the component that I</p> <p>9 need to follow up with my mental healthcare</p> <p>10 providers to get cleared to discontinue the</p> <p>11 medication.</p> <p>12 But my -- all my mental health</p> <p>13 providers were in agreement that it was, in fact,</p> <p>14 the medication that caused the adverse medical side</p> <p>15 effect and that there are not other potential</p> <p>16 causes for erratic behavior.</p> <p>17 Q. So you agreed that you would have to</p> <p>18 be evaluated for fitness for duty; is that correct?</p> <p>19 A. No. I would agree that I needed to</p> <p>20 follow up with my psychiatrist. That fitness for</p> <p>21 duty language is something from Dr. Swallow.</p> <p>22 That's not terminology that I would use.</p> <p>23 Q. How do you know it's not from</p> <p>24 Dr. Marshall?</p> <p>25 A. Because Dr. Swallow requested fitness</p>
<p style="text-align: right;">Page 187</p> <p>1 agrees that that is what is written?</p> <p>2 BY MS. CONRAD:</p> <p>3 Q. Do you agree that you would -- would</p> <p>4 need to meet with your psychiatrist to be evaluated</p> <p>5 for fitness for duty and possibly an evaluation for</p> <p>6 other causes?</p> <p>7 MS. LOPEZ: Calls for speculation.</p> <p>8 THE WITNESS: I would --</p> <p>9 MS. CONRAD: I'm sorry. Both of you</p> <p>10 were talking at the same time.</p> <p>11 MS. LOPEZ: My objection is calls for</p> <p>12 speculation. He's already testified he doesn't</p> <p>13 remember what occurred during that day. And he</p> <p>14 went through with you the facts of what he does</p> <p>15 remember and what he doesn't remember.</p> <p>16 MS. CONRAD: He said that there was an</p> <p>17 agreement that he would contact his psychiatrist</p> <p>18 and psychologist.</p> <p>19 MS. LOPEZ: So are you asking --</p> <p>20 MS. CONRAD: My question then is --</p> <p>21 MS. LOPEZ: Okay.</p> <p>22 MS. CONRAD: Do you agree that your</p> <p>23 psychiatrist would have to evaluate you for fitness</p> <p>24 for duty, as well as potentially evaluate for other</p> <p>25 potential causes for this erratic behavior?</p>	<p style="text-align: right;">Page 189</p> <p>1 for duty forms subsequently in her meeting. And</p> <p>2 this fitness for duty forms are addressed here.</p> <p>3 Q. Dr. Marshall references fitness for</p> <p>4 duty, December 6, 2017, at 10:18 a.m., doesn't she?</p> <p>5 A. Yes. Again, that's why I -- I can't</p> <p>6 speculate on what she was thinking or her logic</p> <p>7 when she wrote that.</p> <p>8 Q. All right. So we'll defer to</p> <p>9 Dr. Marshall to explain.</p> <p>10 And, Dr. Marshall also writes, I'm</p> <p>11 also aware that he's become dependent on my</p> <p>12 support. Do you see that reference?</p> <p>13 A. Yes.</p> <p>14 Q. Had you become dependent on</p> <p>15 Dr. Marshall for support?</p> <p>16 A. I reached out to her for support,</p> <p>17 because she said to reach out to her for support.</p> <p>18 So I think that comment of dependency might be</p> <p>19 subjective. I didn't view it as dependency. I</p> <p>20 viewed it as reaching out for help to my</p> <p>21 leadership.</p> <p>22 (Exhibit 26 was marked.)</p> <p>23 Q. Let me show you the document that's</p> <p>24 marked Exhibit 26.</p> <p>25 By the way, did you ever discuss the</p>

<p style="text-align: right;">Page 190</p> <p>1 events with Dr. Marshall after December 6th, 2017?</p> <p>2 A. No.</p> <p>3 Q. Why not?</p> <p>4 A. Not that I recall. Because I had --</p> <p>5 our meeting had already been arranged to discuss it</p> <p>6 with Dr. Swallow. So it was discussed with</p> <p>7 Dr. Swallow.</p> <p>8 (Exhibit 26 was marked.)</p> <p>9 Q. Turning to Exhibit 26. Are you</p> <p>10 familiar with this document?</p> <p>11 A. Yes.</p> <p>12 Q. When was the first time you saw it?</p> <p>13 A. During discovery exchange.</p> <p>14 Q. Did you meet with Dr. Swallow on</p> <p>15 December 7?</p> <p>16 A. I believe so.</p> <p>17 Q. And have you had the opportunity to</p> <p>18 review -- well, let's go through it paragraph by</p> <p>19 paragraph.</p> <p>20 Is there anything in the first</p> <p>21 paragraph that you disagree with?</p> <p>22 A. This is an odd document in the sense</p> <p>23 that I still had residual amnestic side effects.</p> <p>24 So the event was from December 6th into December</p> <p>25 7th. So I was still experiencing symptoms of</p>	<p style="text-align: right;">Page 192</p> <p>1 A. I can -- I can look. If I do, I'll</p> <p>2 find them. But I'm not 100 percent certain.</p> <p>3 MS. CONRAD: I would make a formal</p> <p>4 request for those text messages.</p> <p>5 (Request.)</p> <p>6 Q. Directing your attention to the second</p> <p>7 paragraph. Do you recall Dr. Swallow asking you</p> <p>8 how you were feeling?</p> <p>9 A. No, I don't really recall that. I</p> <p>10 believe she did ask how I was doing, along the</p> <p>11 lines of today, and I mentioned that I was feeling</p> <p>12 better than the day before. But that's as much</p> <p>13 detail as I can give.</p> <p>14 Q. She goes on to summarize information</p> <p>15 that you stated to her in the meeting. Do you</p> <p>16 recall stating any of that information to her in</p> <p>17 your meeting on December 7th?</p> <p>18 A. I don't recall stating these items,</p> <p>19 but I do know that some of them did occur. So I</p> <p>20 have to have said of some of them, such as going to</p> <p>21 the grocery store.</p> <p>22 Q. Is there any statements in paragraph</p> <p>23 -- in the second paragraph that did not occur?</p> <p>24 A. Again, I can't definitively tell you</p> <p>25 that if I don't remember.</p>
<p style="text-align: right;">Page 191</p> <p>1 amnesia. So I can't recollect this meeting to its</p> <p>2 fullest. But I can state that I don't recall her</p> <p>3 stating that.</p> <p>4 Q. Well, let's start with the first</p> <p>5 paragraph then. We'll have to go through this line</p> <p>6 by line. Did you meet with Dr. Swallow the morning</p> <p>7 of December 7th?</p> <p>8 A. Yes.</p> <p>9 Q. Did you contact Dr. Marshall around 7</p> <p>10 a.m. on December 6th?</p> <p>11 A. Again, on December 6th, I was in the</p> <p>12 full height of amnestic episode. I can't recall</p> <p>13 that.</p> <p>14 Q. There's a reference in the last</p> <p>15 paragraph to attach documentation, including the</p> <p>16 text message exchange.</p> <p>17 Did you have a text message exchange</p> <p>18 -- the end of the first paragraph. On the morning</p> <p>19 of December 6th, were there text messages</p> <p>20 exchanged?</p> <p>21 A. Yes, between my roommate, myself and</p> <p>22 Dr. Marshall. But it says they should be attached</p> <p>23 to this document.</p> <p>24 Q. Well, do you have copies of those text</p> <p>25 messages?</p>	<p style="text-align: right;">Page 193</p> <p>1 Q. Let's skip down to the end of the</p> <p>2 second paragraph. Dr. Swallow asked you if the</p> <p>3 symptoms resolved during the test. And you noted</p> <p>4 while taking the test the words appeared in 3-D.</p> <p>5 Do you recall telling Dr. Swallow that information?</p> <p>6 A. No, I don't recall that. I don't</p> <p>7 recall even taking the -- the exam.</p> <p>8 Q. The last sentence, Dr. Swallow reports</p> <p>9 that you told her that even as of the morning of</p> <p>10 December 7th, you were continuing to have double</p> <p>11 vision and that you were seeing two of her. Do you</p> <p>12 recall that?</p> <p>13 A. No. It's possible though.</p> <p>14 Q. Do you recall, staring in the third</p> <p>15 paragraph, Dr. Swallow asking if you felt safe to</p> <p>16 continue patient care in light of these symptoms?</p> <p>17 A. No.</p> <p>18 Q. Do you recall your response to that</p> <p>19 question?</p> <p>20 A. No.</p> <p>21 Q. Do you recall acknowledging that there</p> <p>22 were concerns?</p> <p>23 MS. LOPEZ: Objection. Vague.</p> <p>24 BY MS. CONRAD:</p> <p>25 Q. I will direct your attention to the</p>

<p style="text-align: right;">Page 194</p> <p>1 last two sentences of paragraph three. Do you</p> <p>2 recall providing that information?</p> <p>3 A. No.</p> <p>4 Q. Directing your attention to the next</p> <p>5 page, do you recall Dr. Swallow informing you that</p> <p>6 she had a concern that there could be a risk to</p> <p>7 patient safety to continue -- for you to continue</p> <p>8 to care for patients with the current ongoing</p> <p>9 symptoms?</p> <p>10 A. No, I don't remember this</p> <p>11 conversation.</p> <p>12 Q. Do you remember her also saying she</p> <p>13 was equally concerned about erratic events, about</p> <p>14 your erratic events and unclear recollection of</p> <p>15 them?</p> <p>16 A. No.</p> <p>17 Q. Would you agree with me that if you</p> <p>18 were unable to recall the events that had occurred</p> <p>19 the prior day, that was a matter of concern?</p> <p>20 A. I would agree.</p> <p>21 Q. Do you recall Dr. Swallow informing</p> <p>22 you that she was going to place you on a medical</p> <p>23 leave of absence pending a fitness for duty</p> <p>24 evaluation?</p> <p>25 A. I do vaguely remember some of that.</p>	<p style="text-align: right;">Page 196</p> <p>1 Q. Do you recall Dr. Swallow reviewing</p> <p>2 with you that you needed to meet with your medical</p> <p>3 providers and discuss the events of the previous</p> <p>4 day and your fitness to return to duty?</p> <p>5 A. Vaguely, but I might be attributing</p> <p>6 that to the follow-up communications after this</p> <p>7 meeting, in which I was back to baseline and then</p> <p>8 my memory was back.</p> <p>9 Q. Do you recall Dr. Swallow asking you</p> <p>10 to contract her by Friday, December 8th, which</p> <p>11 would be the following day, to discuss the details</p> <p>12 of his upcoming appointments?</p> <p>13 A. I don't remember her saying that. But</p> <p>14 I know that she wrote those instructions down.</p> <p>15 Q. And were you removed from clinical</p> <p>16 duties during your leave of absence?</p> <p>17 A. Yes. During my leave of absence, I'm</p> <p>18 not on clinical duty.</p> <p>19 Q. I'm sorry, what?</p> <p>20 A. When I -- I was not at -- on clinical</p> <p>21 duty prior to the event, during or after, and then</p> <p>22 subsequently when I was on the medical leave of</p> <p>23 absence, there are no clinical duties.</p> <p>24 Q. I'm directing your attention to</p> <p>25 exhibit 27.</p>
<p style="text-align: right;">Page 195</p> <p>1 But I think what prompts the memories, the symptoms</p> <p>2 basically dissipated by the following day. And</p> <p>3 there was follow-up email exchange of remembering</p> <p>4 to get these documents. So that's how I knew that</p> <p>5 I was on medical leave and that I needed to get</p> <p>6 these fitness to return to work documents.</p> <p>7 Q. And do you recall Dr. Swallow -- or</p> <p>8 telling Dr. Swallow you had additional physical</p> <p>9 complaints that had arisen and were new for him --</p> <p>10 or you?</p> <p>11 A. Uh-huh, no.</p> <p>12 Q. Do you recall Dr. Swallow informing</p> <p>13 you that it was a conflict of interest to pursue</p> <p>14 care with one of your resident colleagues, and it</p> <p>15 was in your best interest to have a medical</p> <p>16 evaluation by someone else?</p> <p>17 A. No, I don't recall that. And that's</p> <p>18 also an odd statement, because the chief resident,</p> <p>19 part of the competency committee volunteered to be</p> <p>20 my primary care provider. And she did not disclose</p> <p>21 that information. So I had no way of knowing.</p> <p>22 Q. Do you know if there were any policies</p> <p>23 that addressed conflict of interest in treating</p> <p>24 with colleagues?</p> <p>25 A. No.</p>	<p style="text-align: right;">Page 197</p> <p>1 (Exhibit 27 was marked.)</p> <p>2 Q. Are you familiar with this document?</p> <p>3 A. Yes, I think this is exactly what I</p> <p>4 was referring to about the clearer directions that</p> <p>5 I knew to follow after the meeting.</p> <p>6 Q. When did you receive this document?</p> <p>7 A. I believe it was the same day as this</p> <p>8 meeting with Dr. Swallow so --</p> <p>9 Q. Did you understand what was required</p> <p>10 from you as summarized in this document?</p> <p>11 A. Within a day or so, yes.</p> <p>12 Q. Did you object to any of these</p> <p>13 conditions?</p> <p>14 A. No. Some of them seem odd. But as</p> <p>15 the student training employee I was just following</p> <p>16 directions. And I didn't object to anything.</p> <p>17 Q. Which item seemed odd?</p> <p>18 A. The specification that I did it to be</p> <p>19 -- that I couldn't be cleared by a doctor of my</p> <p>20 choosing. But that I was required to use a doctor</p> <p>21 associated with the hospital system.</p> <p>22 Q. And where is that addressed --</p> <p>23 A. Number two.</p> <p>24 Q. -- in Exhibit 27?</p> <p>25 A. Number two. Hope Drive is the</p>

<p style="text-align: right;">Page 198</p> <p>1 hospital's clinic.</p> <p>2 Q. Did you ask to obtain a medical</p> <p>3 evaluation from some medical provider other than at</p> <p>4 Hope Drive?</p> <p>5 A. I got a clear medical evaluation from</p> <p>6 my provider in addition to the provider at Hope</p> <p>7 Drive. So I gave multiple.</p> <p>8 Q. And doesn't number two say you need to</p> <p>9 schedule a medical evaluation with a non-resident</p> <p>10 provider at Hope Drive?</p> <p>11 A. Yes.</p> <p>12 Q. So, again, what is your objection?</p> <p>13 MS. LOPE: Objection.</p> <p>14 Mischaracterization of testimony. He said it was</p> <p>15 odd, not that he objected.</p> <p>16 MS. CONRAD: Oh, I'm sorry.</p> <p>17 BY MS. CONRAD:</p> <p>18 Q. What was odd about the requirement</p> <p>19 that you needed to schedule a medical evaluation</p> <p>20 with a non-resident provider at Hope Drive?</p> <p>21 A. I've never been told that I could only</p> <p>22 see a certain group of doctors. Usually it's the</p> <p>23 patient's choice of what doctor they will see and</p> <p>24 get care with. I thought it was odd that I was</p> <p>25 told I could only see certain providers that were</p>	<p style="text-align: right;">Page 200</p> <p>1 psychiatrist?</p> <p>2 Q. Was your psychiatrist at Hope Drive?</p> <p>3 A. I think that's exactly my point.</p> <p>4 She's telling me where I need to get cleared at</p> <p>5 rather than tell me --</p> <p>6 Q. Where was your psychiatrist located?</p> <p>7 She's only saying you can't go to a resident</p> <p>8 provider who is at Hope Drive, isn't she?</p> <p>9 A. She's saying I need to schedule a</p> <p>10 medical -- medical evaluation with a provider at</p> <p>11 Hope Drive. She's telling me to go to Hope Drive.</p> <p>12 Q. Did you ask her what was meant by that</p> <p>13 statement?</p> <p>14 A. No. But she did clarify in a</p> <p>15 subsequent email that it was okay to see my</p> <p>16 provider. So someone else must have caught that</p> <p>17 something wasn't exactly right there, because she</p> <p>18 had to clarify that it was okay for me to be</p> <p>19 cleared by a doctor Of my choosing.</p> <p>20 Q. Isn't medical separate from</p> <p>21 psychological?</p> <p>22 A. No. Psychological would be a</p> <p>23 specialty or a subcategory of medical, I would say.</p> <p>24 Q. If you had a question about whether or</p> <p>25 not you could be evaluated by a non-resident</p>
<p style="text-align: right;">Page 199</p> <p>1 affiliated with the hospital.</p> <p>2 Q. Well, wouldn't you agree that</p> <p>3 Dr. Marshall was one of your chief residents that</p> <p>4 oversaw your performance as a resident, wasn't she?</p> <p>5 A. Yes.</p> <p>6 Q. And you sought out Dr. Marshall for</p> <p>7 medical treatment, didn't you?</p> <p>8 A. Yes.</p> <p>9 Q. And you thought it odd that</p> <p>10 Dr. Swallow was concerned there might be a conflict</p> <p>11 of interest in having a chief resident who was</p> <p>12 supervising you treat you medically?</p> <p>13 A. No, I thought it was odd that she</p> <p>14 would say that my medical care provider, who</p> <p>15 specializes in mental health, was not sufficient.</p> <p>16 But that a provider at a clinic that was associated</p> <p>17 with the hospital, who was not a psychiatrist, was</p> <p>18 sufficient. It's a little odd.</p> <p>19 Q. Where does it say that?</p> <p>20 A. The provider at Hope Drive. Hope</p> <p>21 Drive is the clinic center at the hospital.</p> <p>22 Q. It says you need to schedule a medical</p> <p>23 provider -- you need to schedule an evaluation with</p> <p>24 a non-resident provider at Hope Drive?</p> <p>25 A. Yes. Why -- why shouldn't I go to my</p>	<p style="text-align: right;">Page 201</p> <p>1 provider at Hope Drive, why didn't you ask did</p> <p>2 Dr. Swallow what that meant?</p> <p>3 MS. LOPEZ: Objection. Asked and</p> <p>4 answered.</p> <p>5 Q. I asked if he did ask her. My</p> <p>6 question now is, why didn't you ask her?</p> <p>7 A. I was just following the instructions</p> <p>8 given to me. I noted that it was -- seemed quite</p> <p>9 odd. I didn't object to it though. I followed the</p> <p>10 directions that were given to me by my supervisor.</p> <p>11 Q. Can a psychologist do a medical</p> <p>12 evaluation?</p> <p>13 A. He's doing a psychiatric evaluation.</p> <p>14 I would -- I would say that he's more fit to do</p> <p>15 that evaluation than a general medical doctor who</p> <p>16 doesn't specialize in, psychiatry and that's who</p> <p>17 I'm being asked to see.</p> <p>18 (Exhibit 28 was marked.)</p> <p>19 Q. Let's look at Exhibit 28. Are you</p> <p>20 familiar with this document?</p> <p>21 A. Yes.</p> <p>22 Q. What is it?</p> <p>23 A. It's a return to work clearance to</p> <p>24 return to work after the amnesic episode.</p> <p>25 Q. And who is this document from?</p>



<p style="text-align: right;">Page 202</p> <p>1 A. Dr. Frank Munoz.</p> <p>2 Q. And is the document handwritten or is</p> <p>3 it typed?</p> <p>4 A. This one is typed.</p> <p>5 Q. And does it list any type of</p> <p>6 accommodation requirements in conjunction with your</p> <p>7 return to work on December 12th?</p> <p>8 A. No. This form had clear instructions</p> <p>9 from Dr. Swallow that I just needed a form that</p> <p>10 says you are fit for duty and may return to full</p> <p>11 duty work. So that's exactly what I asked -- what</p> <p>12 I got. It was just a form to satisfy that</p> <p>13 requirement.</p> <p>14 Q. And it says he's fit for duty and he</p> <p>15 may return to full duty work; doesn't it?</p> <p>16 A. Yes.</p> <p>17 Q. It doesn't say -- make any reference</p> <p>18 to work that has less stressful rotations, does it?</p> <p>19 A. No, because it's not discussing</p> <p>20 accommodations at this point. It's just discussing</p> <p>21 if I can return to work.</p> <p>22 Q. It doesn't say full duty work which</p> <p>23 allow for adequate sleep and time off on weekends</p> <p>24 when possible, does it?</p> <p>25 MS. LOPEZ: Objection. Argumentative.</p>	<p style="text-align: right;">Page 204</p> <p>1 BY MS. CONRAD:</p> <p>2 Q. And you agree with me he did not, did</p> <p>3 he?</p> <p>4 MS. LOPEZ: Asked and answered.</p> <p>5 Q. Did he?</p> <p>6 MS. LOPEZ: Asked and answered.</p> <p>7 Q. Did he? You may answer the question.</p> <p>8 A. Can You repeat the question?</p> <p>9 MS. CONRAD: This will be the third</p> <p>10 time. And this will be part of the basis for my</p> <p>11 request for additional time to depose.</p> <p>12 Because counsel continues to make</p> <p>13 objections. Dr. Salcedo refuses to answer the</p> <p>14 question. And then we need to repeat the question.</p> <p>15 MS. LOPEZ: And you're asking the same</p> <p>16 question over and over.</p> <p>17 MS. CONRAD: Read it from the record,</p> <p>18 please.</p> <p>19 (The court reporter read the</p> <p>20 referred-to question.)</p> <p>21 A. No, he does not say that.</p> <p>22 Q. I'm going to direct your attention to</p> <p>23 Exhibit 29.</p> <p>24 (Exhibit 29 was marked.)</p> <p>25 Q. Are you familiar with Exhibit 29?</p>
<p style="text-align: right;">Page 203</p> <p>1 And this has been asked and answered. The document</p> <p>2 speaks for itself.</p> <p>3 MS. CONRAD: Then he can answer the</p> <p>4 question.</p> <p>5 MS. LOPEZ: It's argumentative,</p> <p>6 counsel.</p> <p>7 MS. CONRAD: Excuse me?</p> <p>8 MS. LOPEZ: It's argumentative.</p> <p>9 MS. CONRAD: It is not. He can answer</p> <p>10 the question.</p> <p>11 A. You can repeat the question?</p> <p>12 Q. Certainly. Does Dr. Munoz say he is</p> <p>13 fit for duty and may return to full duty that</p> <p>14 allows for adequate sleep and time off on weekends</p> <p>15 when possible as of December 12, 2017?</p> <p>16 A. No. You added quite a few words that</p> <p>17 aren't on this document.</p> <p>18 Q. Right. Well, I'm looking back at the</p> <p>19 August 28th, 2017 handwritten letter that Dr. Munoz</p> <p>20 wrote.</p> <p>21 And I'm asking if Dr. Munoz</p> <p>22 incorporated any of those considerations into the</p> <p>23 December 11, 2017 note?</p> <p>24 MS. LOPEZ: Objection. Asked and</p> <p>25 answered.</p>	<p style="text-align: right;">Page 205</p> <p>1 A. Yes.</p> <p>2 Q. What is it?</p> <p>3 A. It's another release -- secure to work</p> <p>4 from my therapist Michelle Batz saying that I can</p> <p>5 return to work.</p> <p>6 Q. And with respect -- I apologize.</p> <p>7 Going back to the December 11 note from Dr. Munoz,</p> <p>8 was this note submitted to Dr. Swallow?</p> <p>9 A. Yes.</p> <p>10 Q. How was it submitted to Dr. Swallow?</p> <p>11 A. In person.</p> <p>12 Q. So did you pick up the note from</p> <p>13 Dr. Munoz?</p> <p>14 A. Yes. All three of these providers I</p> <p>15 saw individually and got the notes individually to</p> <p>16 give.</p> <p>17 Q. And at the time you obtained the note</p> <p>18 from Dr. Munoz, did you say to him, you could</p> <p>19 please include those considerations that were</p> <p>20 contained on the August 2017 note that you wrote?</p> <p>21 A. No, I did not, because that was not</p> <p>22 the point of the letter. The request from</p> <p>23 Dr. Swallow was a statement that I'm clear and fit</p> <p>24 to work. So that's what I requested.</p> <p>25 Q. You are clear and fit to --</p>

<p style="text-align: right;">Page 206</p> <p>1 A. Return to work.</p> <p>2 Q. -- return to work, right?</p> <p>3 A. Return to work.</p> <p>4 Q. Dr. Munoz says full duty work, doesn't</p> <p>5 he?</p> <p>6 A. We would have to ask him what he means</p> <p>7 by exactly full duty to work. But the intent of</p> <p>8 the letter was fit to return to work.</p> <p>9 Q. No, the letter that he wrote, signed</p> <p>10 and you submitted, says he is fit for duty and may</p> <p>11 return to full duty work as of December 12, 2017,</p> <p>12 doesn't it?</p> <p>13 A. Yes. But what does he mean by full</p> <p>14 duty? We need to ask him that. I'm telling you</p> <p>15 that Dr. Swallow gave me specific instructions on</p> <p>16 what this letter had to say. So that's what I</p> <p>17 obtained. And that's what I returned to her.</p> <p>18 Q. Let me direct your attention now to</p> <p>19 Exhibit 29. What is exhibit 29?</p> <p>20 A. It's another clear -- clear of fitness</p> <p>21 to return to work.</p> <p>22 Q. And this clearance confirms that</p> <p>23 Mr. Salcedo is fit for work as of December 11,</p> <p>24 2017, doesn't it?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 208</p> <p>1 A. Yes, but Dr. Swallow specified I</p> <p>2 needed a fitness for duty from someone from clinic</p> <p>3 drive -- Hope Drive.</p> <p>4 Q. And where did she say that?</p> <p>5 A. Few exhibits ago in her outline of the</p> <p>6 next steps. She said I needed to see a</p> <p>7 non-resident provider at clinic drive -- Hope Drive</p> <p>8 at the clinic.</p> <p>9 Q. We've already covered that. We're not</p> <p>10 going back to it. Dr. Swallow will be deposed</p> <p>11 tomorrow.</p> <p>12 Timothy Sullivan doesn't just release</p> <p>13 you to return to work. He goes on to say, you may</p> <p>14 return to work on December 12, 2017 without any</p> <p>15 restrictions, doesn't he?</p> <p>16 A. Yes.</p> <p>17 Q. Did Timothy Sullivan have any further</p> <p>18 assessment and plans following -- strike that.</p> <p>19 You met with Timothy Sullivan on or</p> <p>20 about December 12, 2017, didn't you?</p> <p>21 A. Yes.</p> <p>22 Q. And did you have -- have you had the</p> <p>23 opportunity to review his text note?</p> <p>24 A. Yes.</p> <p>25 Q. And you'll agree that if you pull up</p>
<p style="text-align: right;">Page 207</p> <p>1 (Exhibit 30 was marked.)</p> <p>2 Q. Let me direct your attention to</p> <p>3 Exhibit 30. Are you familiar with Exhibit 30?</p> <p>4 Dr. Salcedo, are you familiar with</p> <p>5 Exhibit 30?</p> <p>6 A. Yes. I'm looking, because Exhibit 30</p> <p>7 I have opened here is a different document than the</p> <p>8 one you have on your screen, or to whom it may</p> <p>9 concern I'm reading. Okay. Yes, I'm familiar with</p> <p>10 this document.</p> <p>11 Q. What is it?</p> <p>12 A. I thought we already did this one.</p> <p>13 It's a return to work letter saying I'm fit for</p> <p>14 duty.</p> <p>15 Q. From what?</p> <p>16 A. Timothy Sullivan, he's the Hope Drive</p> <p>17 clinic provider that I was forced to see.</p> <p>18 Q. What do you mean, you were forced to</p> <p>19 see?</p> <p>20 A. Had it been my choice, I would have</p> <p>21 gotten cleared by my treating providers, Dr. Munoz.</p> <p>22 Q. Which providers?</p> <p>23 A. Dr. Frank Munoz, my psychiatrist.</p> <p>24 Q. But you had Dr. Munoz submit a fitness</p> <p>25 for duty letter, didn't you?</p>	<p style="text-align: right;">Page 209</p> <p>1 -- no, it's not an exhibit -- never mind. In his</p> <p>2 assessment and plan, he, in fact, indicated that no</p> <p>3 additional interventions are required at this time,</p> <p>4 didn't he?</p> <p>5 MS. LOPEZ: Sorry, counsel. I'm not</p> <p>6 sure why you're at here.</p> <p>7 MS. CONRAD: I'm not looking at an</p> <p>8 exhibit. I'm looking at a note from Timothy</p> <p>9 Sullivan. It's not an exhibit. I'm just asking if</p> <p>10 Dr. Salcedo remembers.</p> <p>11 MS. LOPEZ: Oh.</p> <p>12 THE WITNESS: Yes. Well, I think it's</p> <p>13 important to differentiate the fact that these</p> <p>14 fitness for duty letters are strictly secondary to</p> <p>15 the amnestic event, and not any way related to</p> <p>16 accommodations or my underlying health condition.</p> <p>17 They were -- there was a precipitating event, the</p> <p>18 amnestic episode, and that's what the letters are</p> <p>19 addressing so --</p> <p>20 Q. Well, do you recall Timothy Sullivan</p> <p>21 noting that the patient had transient amnesia due</p> <p>22 to adverse side effect from -- I'm not sure how to</p> <p>23 say this -- tempa --</p> <p>24 MS. PANTALIONE: Temazepam.</p> <p>25 Q. Temazepam, thank you, which has since</p>

<p style="text-align: right;">Page 210</p> <p>1 been discontinued. And he has returned to baseline</p> <p>2 and no additional interventions are required at</p> <p>3 this time. Do you recall that assessment by</p> <p>4 Timothy Sullivan?</p> <p>5 A. Yes, we are discussing the amnestic</p> <p>6 episode, yes.</p> <p>7 Q. And he goes on to say, he was provided</p> <p>8 a note that he is stable from a medical perspective</p> <p>9 to return to work without any specific</p> <p>10 restrictions. Do you recall that plan?</p> <p>11 A. Yes.</p> <p>12 Q. And do you recall speaking to him</p> <p>13 about minimizing your caffeine intake?</p> <p>14 A. Yes, and addressing good sleep</p> <p>15 hygiene.</p> <p>16 Q. And did he advised you to talk to your</p> <p>17 psychiatrist about medications?</p> <p>18 A. Oh, I believe -- at this point, I</p> <p>19 might need the document in front of me, because</p> <p>20 you're going through it. I would like to see it.</p> <p>21 Q. I'm just asking what you remember.</p> <p>22 And do you agree with the -- with the treatment</p> <p>23 plan by Timothy Sullivan?</p> <p>24 A. Again, what is the treatment plan?</p> <p>25 Q. What I just went over.</p>	<p style="text-align: right;">Page 212</p> <p>1 Q. And it goes -- it's dated December 14,</p> <p>2 2017, correct?</p> <p>3 A. Yes.</p> <p>4 Q. And Dr. Swallow signed this document,</p> <p>5 didn't she?</p> <p>6 A. Yes.</p> <p>7 Q. And did you sign the document?</p> <p>8 A. Yes.</p> <p>9 Q. And in it, it begins by saying she'll</p> <p>10 review the concerns raised to the competency</p> <p>11 committee by the evaluations to date on</p> <p>12 Dr. Salcedo; do you see that?</p> <p>13 A. Yes.</p> <p>14 Q. Is there any reference in this</p> <p>15 document to the episode -- the amnestic episode</p> <p>16 that you experienced and your medical leave?</p> <p>17 A. No. But this document was given to me</p> <p>18 with a second document that does address my mental</p> <p>19 health.</p> <p>20 Q. Well, we'll get to that document.</p> <p>21 A. Okay.</p> <p>22 Q. We're looking at two different issues,</p> <p>23 aren't we? This document deals with concerns</p> <p>24 raised by the competency committee by the</p> <p>25 evaluations to date, doesn't it?</p>
<p style="text-align: right;">Page 211</p> <p>1 A. Hm.</p> <p>2 Q. No, you did not agree with it?</p> <p>3 A. No. I don't think you just went over</p> <p>4 the treatment plan. You went from -- from the top</p> <p>5 of the note -- is there any way we can get the note</p> <p>6 up? That might be easier.</p> <p>7 Q. Well, what do you recall from Timothy</p> <p>8 Sullivan's treatment plan?</p> <p>9 A. To continue care with my providers.</p> <p>10 We talked about lifestyle changes like the caffeine</p> <p>11 and to try my best to get good sleep hygiene. And</p> <p>12 that I would also be following up with Britt</p> <p>13 Marshall, but that's about all I remember.</p> <p>14 (Exhibit 31 was marked.)</p> <p>15 Q. Let me direct your attention to</p> <p>16 Exhibit 31. Are you familiar with this document?</p> <p>17 A. Yes.</p> <p>18 Q. What is it?</p> <p>19 A. It's the letter that I received</p> <p>20 December 14, 2017 after amnestic episode, and</p> <p>21 Dr. Swallow places me on remediation.</p> <p>22 Q. Let's take it one step at a time here.</p> <p>23 It says clinical competency committee follow-up,</p> <p>24 Dr. Pablo Salcedo at the top, doesn't it?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 213</p> <p>1 A. Yes.</p> <p>2 Q. And the concerns are summarized in</p> <p>3 one, two and three, aren't they?</p> <p>4 A. Yes.</p> <p>5 Q. And based on those concerns, a</p> <p>6 remediation plan was presented to you, wasn't it?</p> <p>7 MS. LOPEZ: Objection. Calls for</p> <p>8 speculation. He doesn't know whether the mediation</p> <p>9 plan was based on these concerns. This is just a</p> <p>10 document. He doesn't know what the committee said.</p> <p>11 Q. Did you ask what the committee said?</p> <p>12 A. No, I did not ask what the committee</p> <p>13 said. I'll be honest, I did not have much</p> <p>14 knowledge of the competency committee until near</p> <p>15 the end of my time at the medical center.</p> <p>16 Q. Was a remediation plan proposed to you</p> <p>17 in your meeting with Dr. Swallow on December 14th?</p> <p>18 A. Yes.</p> <p>19 Q. And the document provides, I propose a</p> <p>20 remediation plan to improve these skills and help</p> <p>21 him obtain a level of comfort in these areas. Do</p> <p>22 you see that reference?</p> <p>23 A. Yes.</p> <p>24 Q. And it goes on to list three areas</p> <p>25 that must be addressed as part of the remediation</p>



<p style="text-align: right;">Page 214</p> <p>1 plan, doesn't it?</p> <p>2 A. Yes.</p> <p>3 Q. It then goes on to note, that</p> <p>4 observation activities will take place between</p> <p>5 blocks 13 through 18, correct?</p> <p>6 A. Yes.</p> <p>7 Q. And then you're provided information</p> <p>8 that at the conclusion of block 18, that's February</p> <p>9 23rd, the data will be reviewed and the next course</p> <p>10 of action will be determined, right?</p> <p>11 A. Yes.</p> <p>12 Q. It goes on to say, I hope -- the hope</p> <p>13 is that he will have made sufficient progress in</p> <p>14 his decision-making, presentation skills and</p> <p>15 interpretation of the data that will allow him to</p> <p>16 be removed from the remediation plan and continue</p> <p>17 on his training. Do you see that statement?</p> <p>18 A. Yes.</p> <p>19 Q. Did you understand then that the</p> <p>20 purpose of the remediation plan was to allow you to</p> <p>21 make progress to be removed from remediation and</p> <p>22 continue your training?</p> <p>23 A. Yes.</p> <p>24 Q. And you signed that document, correct?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 216</p> <p>1 occurred. But honestly I was keeping my head down</p> <p>2 working those long hours, just waiting for the</p> <p>3 accommodations. And those types of things,</p> <p>4 administrative things, I didn't have knowledge of</p> <p>5 or experience to know. I was looking to</p> <p>6 leadership, aka, Dr. Swallow to be able to guide me</p> <p>7 and to tell me what needed to be done.</p> <p>8 Q. So you didn't engage in any</p> <p>9 conversations with your colleagues that mid-year</p> <p>10 evaluations were going on?</p> <p>11 A. No.</p> <p>12 (Exhibit 32 was marked.)</p> <p>13 Q. Take a look at Exhibit 32. Are you</p> <p>14 familiar with this document?</p> <p>15 A. Yes, it was the second document that</p> <p>16 was handed to me on December 14th, 2017 by</p> <p>17 Dr. Swallow along with the remediation document.</p> <p>18 Q. And now they are two separate</p> <p>19 documents, aren't they?</p> <p>20 A. Yes, two documents.</p> <p>21 Q. And they address two separate issues,</p> <p>22 don't they?</p> <p>23 A. The straightforward answer is they</p> <p>24 are two separate documents. But they are related.</p> <p>25 That's why they were given to me at the same time.</p>
<p style="text-align: right;">Page 215</p> <p>1 Q. Did you voice any objection to the</p> <p>2 information that was covered in that meeting and</p> <p>3 contained in this document?</p> <p>4 A. I did voice some objection to</p> <p>5 Dr. Swallow.</p> <p>6 Q. What were those objections?</p> <p>7 A. I told her that I felt I was being</p> <p>8 punished for having this amnesic episode. And</p> <p>9 that this entire mediation is imputative. Because</p> <p>10 I was being provided this remediation and at the</p> <p>11 same time being given this mental health follow-up</p> <p>12 emergency mental health plan. And most of the</p> <p>13 meeting was to discuss my disability and also by</p> <p>14 the way replacing me on remediation. This should</p> <p>15 have been separate. But in fact, my disability was</p> <p>16 intertwined with the remediation and in the</p> <p>17 clinical judgment of the people in charge of me.</p> <p>18 Q. Did you understand that in</p> <p>19 mid-December, most residents were going through a</p> <p>20 mid-year evaluation?</p> <p>21 MS. LOPEZ: Objection. Asked and</p> <p>22 answered.</p> <p>23 Q. You may answer.</p> <p>24 A. I believe so. But I had no knowledge</p> <p>25 besides someone -- seeing that the evaluation</p>	<p style="text-align: right;">Page 217</p> <p>1 Perhaps that I was not being accommodated is to</p> <p>2 prompt the reason why they're putting me on</p> <p>3 remediation in the first place. So, yes, they're</p> <p>4 labeled two different documents. But that doesn't</p> <p>5 mean they're completely separate.</p> <p>6 Q. Well, point out to me how document 32</p> <p>7 is related to document 31?</p> <p>8 A. They're related -- so if I put myself</p> <p>9 back into the room, I'm sitting in Dr. Swallow's</p> <p>10 office. And she hands me at the same time this</p> <p>11 form for a mental health, and this form for my</p> <p>12 remediation and tells me to sign both forms at the</p> <p>13 same time. She's connecting them. A proper way to</p> <p>14 do it would be to separate those two items as</p> <p>15 distinct events. But, in fact, this was all given</p> <p>16 to me in one meeting at the same time and I signed</p> <p>17 both documents at the same time, immediately after</p> <p>18 a medical event. And that is why they're</p> <p>19 connected.</p> <p>20 Q. So you're on a medical leave. You're</p> <p>21 clear to return to work without restrictions. And</p> <p>22 these two separate items have to be addressed with</p> <p>23 you, both of which occurred in or about the same</p> <p>24 time. And it's your position that because they</p> <p>25 were both addressed at the same day, at the same</p>

<p style="text-align: right;">Page 218</p> <p>1 meeting, they're related?</p> <p>2 A. I'm saying that it's my opinion I was</p> <p>3 placed on the remediation plan because of my</p> <p>4 disability and the amnesic event.</p> <p>5 Q. I respect you have an opinion. I'm</p> <p>6 not asking for opinion testimony today. I'm asking</p> <p>7 about facts.</p> <p>8 What facts can you point to in these</p> <p>9 two documents to establish that they are related?</p> <p>10 MS. LOPEZ: Asked and answered.</p> <p>11 A. They were given to me together. A</p> <p>12 reasonable person would conclude they're related,</p> <p>13 if I'm asking to sign two things at one time and</p> <p>14 they're both handed at the same time.</p> <p>15 Q. So going back to 31 for a moment, do</p> <p>16 you have any documents or evidence to support a</p> <p>17 position that the evaluations to date on</p> <p>18 Dr. Salcedo do not raise the three concerns that</p> <p>19 are listed in 31?</p> <p>20 A. I -- I -- I would say that my grading</p> <p>21 and scoring up to that point did not justify the</p> <p>22 remediation. So again as we went over those</p> <p>23 objective performance scores, those zero to five, I</p> <p>24 did not have any critical deficiencies. But what</p> <p>25 you see numbered one, two, three, are cherry-picked</p>	<p style="text-align: right;">Page 220</p> <p>1 cherry-picked comment that fits this narrative from</p> <p>2 confirmation bias. You are trying to fit a</p> <p>3 narrative and only including certain words and buzz</p> <p>4 words, but you're not accurately describing me or</p> <p>5 my performance.</p> <p>6 Q. Well, point to evaluations that rebut</p> <p>7 item number one?</p> <p>8 MS. LOPEZ: Counsel, you wants him to</p> <p>9 go back to the evaluations?</p> <p>10 MS. CONRAD: If I heard him correct,</p> <p>11 he said that they're taken out of context. I want</p> <p>12 him to point to me evaluations that establish that</p> <p>13 he was not observed at the data gathering or</p> <p>14 reporter stage.</p> <p>15 Let's do it this way, let's not waste</p> <p>16 time. Between now and the next deposition, be</p> <p>17 prepared to respond to those three areas of</p> <p>18 concern.</p> <p>19 THE WITNESS: Okay. If you want, if</p> <p>20 you go to your Exhibit 21, I have a quick example.</p> <p>21 BY MS. CONRAD:</p> <p>22 Q. Okay. Go ahead.</p> <p>23 A. So that data collection phase portion,</p> <p>24 so if you see on top of Exhibit 21, quality of</p> <p>25 history and physical exam. So had it been a big</p>
<p style="text-align: right;">Page 219</p> <p>1 comments that come from the constructive feedback</p> <p>2 section. It's supposed to be an honest section for</p> <p>3 my evaluator to give me feedback on how to grow and</p> <p>4 learn, not to be used to penalize or place someone</p> <p>5 on remediation. That defeats the purpose and kind</p> <p>6 of taints the open critical channel of</p> <p>7 communication on behalf of our attendings.</p> <p>8 Q. Is it your position that one, two and</p> <p>9 three are not true and accurate information?</p> <p>10 A. It's my position that one, two and</p> <p>11 three are misused and taken out of context.</p> <p>12 Q. Well how can you -- can you please</p> <p>13 explain to me how they're taken out of context?</p> <p>14 MS. LOPEZ: Asked and answered.</p> <p>15 A. I didn't hear an answer to that</p> <p>16 question.</p> <p>17 MS. LOPEZ: Okay.</p> <p>18 THE WITNESS: They're taken out of</p> <p>19 context, because those don't reflect the entire</p> <p>20 evaluation. So if you refer to, let's say the</p> <p>21 first one that says he entered at reporter stage,</p> <p>22 then that's a feedback comment. But the rest of</p> <p>23 the evaluation says that I was very compassionate.</p> <p>24 That I excelled in this and this. Then you're not</p> <p>25 seeing that whole picture, you're only seeing that</p>	<p style="text-align: right;">Page 221</p> <p>1 concern, you would expect to be marked critically</p> <p>2 deficient. Does not collect accurate historical</p> <p>3 data. Or if you were stretching it you may put</p> <p>4 direct supervision, sometimes inaccurate. But I,</p> <p>5 in fact, received indirect supervision.</p> <p>6 This states I acquire accurate</p> <p>7 history, perform appropriate physical exams and</p> <p>8 obtain data from secondary sources when needed and,</p> <p>9 in fact, the majority of my evaluators marked that</p> <p>10 same section. So that contradicts number one in</p> <p>11 the remediation.</p> <p>12 Q. So you pointed to one evaluation.</p> <p>13 Between now and our next deposition, we can</p> <p>14 collectively look at the evaluations with respect</p> <p>15 to one, two and three.</p> <p>16 And by the way, Dr. Salcedo, I know I</p> <p>17 asked this before, but if it's your position that</p> <p>18 one, two and three were taken out of context and</p> <p>19 misused, why didn't you submit a rebuttal when you</p> <p>20 got out?</p> <p>21 A. I did raise my concern that I thought</p> <p>22 that this was punitive and it was not fair. And</p> <p>23 the response I got from Dr. Swallow was, don't</p> <p>24 worry, this happens all the time to other</p> <p>25 residents. It's just part of the process. She's</p>

<p style="text-align: right;">Page 222</p> <p>1 my direct supervisor. And in the clinical culture, 2 you do what you're told. Otherwise, you face more 3 consequences. 4 Q. I'm not asking about your opinion that 5 this was punitive in nature. I'm asking about, why 6 didn't you sit down with Dr. Swallow and address 7 one, two and three, and how they were taken out of 8 context? 9 A. So my response to you is that, I did 10 in the sense as much as I could. So take it from 11 my position, I'm sitting there and my direct 12 supervisor has complete control over my career is 13 putting me on remediation plan, right after coming 14 back from a medical event, and instead of 15 discussing accommodations, right? So now in my 16 mind, I feel like I'm being punished that, oh, 17 they're actually not going to help me, but they're 18 holding things against me. I need to keep my head 19 down. And that's what I did. You're asking why I 20 didn't keep fighting back. So I could be hurt more 21 and put on more avenues of ensured failure. It 22 wouldn't be logical at that time. 23 Q. But this -- these concerns are not 24 just Dr. Swallow's concerns, are they? They're the 25 concerns raised to the competency committee?</p>	<p style="text-align: right;">Page 224</p> <p>1 Q. And returning to document 32 -- strike 2 that. 3 Going back to 31, there's no reference 4 to this being a punishment in the document, is 5 there? 6 A. There is no reference to it being a 7 punishment. I'm telling you what I felt during 8 that meeting. I felt it was -- 9 Q. Did you read -- and did you read the 10 last sentence? 11 A. Yes. 12 Q. And the hope is to be -- that you will 13 be removed from remediation and continue your 14 training, isn't it? 15 A. Yes. That is what it says on the 16 paper. 17 Q. Did you agree with that? 18 A. It's not the statement for me to agree 19 or disagree. That's a statement that they're 20 telling me. 21 Q. Did you hope that you would make 22 sufficient progress to be removed from remediation 23 and continue your training? 24 A. Yes. I was also under the assumption 25 I would have an actual remediation, and not a plan</p>
<p style="text-align: right;">Page 223</p> <p>1 A. The problem is those concerns -- 2 MS. LOPEZ: Objection. 3 MS. CONRAD: Excuse me? I didn't hear 4 your answer. 5 MS. LOPEZ: Objection. Calls for 6 speculation. He only received this from 7 Dr. Swallow. He didn't receive direct 8 communications from the clinical competency 9 committee. 10 BY MS. CONRAD: 11 Q. Doesn't the first sentence say, at our 12 meeting today, I told you the concerns raised to 13 the clinical competency committee by evaluations to 14 date on Dr. Salcedo; do you see that statement? 15 MS. LOPEZ: That's what it says. But 16 you were asking him whether or not -- how the 17 clinical competency committee assessed the 18 information. That is a different question 19 altogether. It says what it says. It doesn't mean 20 that he understood what they were basing their 21 opinion on. 22 Q. And Dr. Salcedo, you didn't ask for 23 any further explanation, did you? 24 A. No, just aside from I felt I was being 25 punished.</p>	<p style="text-align: right;">Page 225</p> <p>1 to terminate me, disguised as a remediation, two 2 different things. 3 Q. Okay. Were you scheduled to be on 4 internal medicine wards following December 14, 5 2017? 6 A. Yes. 7 Q. Were you asked to submit a progress 8 note twice per week while you were on general 9 medicine wards? 10 A. Yes. 11 Q. I'm on 31, number two. Did you 12 provide progress notes as provided in number two? 13 A. Yes, I reviewed two progress notes 14 with Dr. Amy Dewater. 15 Q. And also provided that you could 16 review these notes with a member of your team, a 17 senior resident or attending to receive feedback. 18 Did you review the notes with any of those 19 individuals? 20 A. Yes, I sometimes would review my notes 21 with my attendings prior to submission. 22 Q. And weren't you provided clinical case 23 scenarios to work through? 24 A. I was provided medical school level 25 test prep book of clinical vignettes that I did</p>

<p style="text-align: right;">Page 226</p> <p>1 complete. And I did not get any further</p> <p>2 instruction on someone was going to review it with</p> <p>3 me, or what would be done with it. So I ultimately</p> <p>4 returned the book to Dr. Swallow on her mailbox,</p> <p>5 hanging on her door.</p> <p>6 Q. Did you ask to meet with Dr. Swallow</p> <p>7 about that work that you had completed?</p> <p>8 A. I did ask Dr. Swallow via email more</p> <p>9 the logistics on how this would work. And I don't</p> <p>10 remember getting a response back. But I wanted to</p> <p>11 know sort of how are these check-ins supposed to</p> <p>12 occur? Was she going to age them and things of</p> <p>13 that nature. Because those actual details of the</p> <p>14 mediation plan were not flushed out in this letter.</p> <p>15 Q. Well, it clearly says that you can</p> <p>16 review notes with a member of the team's senior</p> <p>17 resident or attending, doesn't it?</p> <p>18 A. Yes. And that portion I fulfilled.</p> <p>19 But above it it says, with a program administrator.</p> <p>20 Q. And did you reach out to a member of</p> <p>21 the program administration?</p> <p>22 A. No, I will be asked to submit. So</p> <p>23 they reached out to me. So it was customary for</p> <p>24 that person to reach out to me, whether it was for</p> <p>25 scheduling or to arrange it. Dr. Amy Dewaters</p>	<p style="text-align: right;">Page 228</p> <p>1 your care, that he would -- that you will be</p> <p>2 removed from rotation?</p> <p>3 A. Yes.</p> <p>4 Q. And that it may mandate a longer leave</p> <p>5 of absence to be sure that you have time to take</p> <p>6 care of and stabilize your issues?</p> <p>7 A. Yes.</p> <p>8 Q. And did you sign off in agreement to</p> <p>9 those four conditions?</p> <p>10 A. Yes.</p> <p>11 Q. And did you begin internal medicine</p> <p>12 ward service on December 18th?</p> <p>13 A. Approximately, yes.</p> <p>14 Q. And were you expected to meet with a</p> <p>15 member of program administration on a weekly basis.</p> <p>16 A. That was my impression from the plan.</p> <p>17 And that's why I emailed Dr. Swallow to find out</p> <p>18 the details of how that would be arranged.</p> <p>19 Q. And did you range those details?</p> <p>20 A. Dr. Swallow did not arrange those</p> <p>21 details. That was not in my power to arrange.</p> <p>22 Q. Why wasn't it in your power to set up</p> <p>23 a weekly meeting?</p> <p>24 A. That would be rather unc customary for</p> <p>25 me to tell Dr. Swallow when she should meet me.</p>
<p style="text-align: right;">Page 227</p> <p>1 scheduled the meeting. And I met with her to</p> <p>2 review the two notes.</p> <p>3 Q. Let's move on to 32 now. Did</p> <p>4 Dr. Swallow review with you the conditions of your</p> <p>5 return to clinical practice?</p> <p>6 A. Yes.</p> <p>7 Q. Did that include number one, an</p> <p>8 ongoing care management plan?</p> <p>9 A. Yes.</p> <p>10 Q. Did that include number two,</p> <p>11 developing a social support network outside of the</p> <p>12 residency program?</p> <p>13 A. Yes.</p> <p>14 Q. Did that include number three, have a</p> <p>15 documented emergency plan?</p> <p>16 A. Yes.</p> <p>17 Q. And did that condition provide that</p> <p>18 the emergency plan needs to include details about</p> <p>19 who to contact should he have an acute exacerbation</p> <p>20 of his anxiety that prohibits him from being able</p> <p>21 to safely care for patients?</p> <p>22 A. Yes.</p> <p>23 Q. And did that include number four, if</p> <p>24 there's another issue where there's a concern for</p> <p>25 your safety or the safety of the patients under</p>	<p style="text-align: right;">Page 229</p> <p>1 Usually the attending or leader or director tells</p> <p>2 you their availability and they send out a request.</p> <p>3 It's not the other way around.</p> <p>4 Q. Did you ever take any action to say,</p> <p>5 Dr. Swallow, I would like -- I'm available to meet</p> <p>6 with you the following dates and times to have our</p> <p>7 weekly meeting?</p> <p>8 A. Outside of that email prompting her to</p> <p>9 let me know how it would be arranged, no.</p> <p>10 Q. Exhibit 33.</p> <p>11 (Exhibit 33 was marked.)</p> <p>12 Q. Are You familiar with a document</p> <p>13 marked 33?</p> <p>14 A. Yes.</p> <p>15 Q. What is it?</p> <p>16 A. It's a warning letter that was</p> <p>17 allegedly given to me.</p> <p>18 Q. What do you mean allegedly?</p> <p>19 A. I believe the hospital claims they</p> <p>20 gave me this warning letter. But I, in fact, never</p> <p>21 received it.</p> <p>22 Q. Well, isn't that your signature at the</p> <p>23 bottom of that document?</p> <p>24 A. No, it is not. I've never seen this</p> <p>25 document until discovery and never signed it. And</p>

<p style="text-align: right;">Page 230</p> <p>1 there's also an extra gentleman on that note. If  2 you notice the other two documents, it was just me  3 and Dr. Swallow. For some reason there's another  4 gentleman on here who signed it. But there was  5 only two people in the meeting.  6 Q. Who is the other gentleman?  7 A. I had not met him until the date of my  8 termination, but he's Dr. Aramani, chair of the  9 clinical competency committee.  10 Q. Have you had any other bouts of  11 amnesia since the prior one?  12 A. No. I no longer take that medication.  13 Q. That's not my question. Have you had  14 any recurring bouts of amnesia?  15 A. No. I just testified because you  16 could have current bouts of amnesia separate from  17 medication. So I wanted it to note that it was  18 because of medication that I had amnesic episode.  19 Important to know.  20 Q. Do you dispute any of the information  21 that is contained in the document marked 33?  22 A. Well, aside from it being a document I  23 never signed, or that I never received, it was  24 never presented to me as this paragraph states,  25 that Dr. Swallow met with me and I was given this</p>	<p style="text-align: right;">Page 232</p> <p>1 A. Yes.  2 Q. And you understood that upon  3 completion of the remediation plan, your progress  4 would be reviewed, didn't you?  5 A. Yes.  6 Q. And did you have an understanding that  7 the purpose of the clinical competency committee  8 was to review the progress of all current residents  9 in the milestones of training?  10 A. No.  11 Q. Did you have any understanding of the  12 role of the clinical competency committee?  13 A. I had --  14 MS. LOPEZ: Are you asking if he  15 understood at the time December 14 only or today?  16 BY MS. CONRAD:  17 Q. As of December 14th, 2017, there's a  18 reference to the clinical competency committee in  19 Exhibit 31, as well as 33. Did you have any  20 understanding of the role of the clinical  21 competency committee with respect to reviewing the  22 progress of residents?  23 A. No.  24 Q. How did you understand you would be  25 evaluated?</p>
<p style="text-align: right;">Page 231</p> <p>1 official warning. However, that never occurred. I  2 only received two documents on December 14th, my  3 confidential remediation there.  4 Q. Were there issues related to patient  5 care based on the evaluation that had been  6 completed to date?  7 MS. LOPEZ: Objection. Asked and  8 answered.  9 Q. You can answer the question.  10 A. To date, as in December 14th, 2017,  11 no.  12 Q. There were no areas of concern about  13 patient care?  14 A. No.  15 Q. How about medical knowledge?  16 A. I know that I received comments that  17 said, as all, is customary for beginning learners,  18 and I needed to expand my foundation and medical  19 knowledge. But that was more a constructive  20 feedback comment, and not an area of concern. It  21 was not marked as a deficiencies or a low score on  22 that zero to five scale.  23 Q. You'll agree with me, won't you, that  24 as of December 14, a plan of remediation had been  25 outlined for you, wasn't it?</p>	<p style="text-align: right;">Page 233</p> <p>1 A. I understood that I would be evaluated  2 by trending my growth and how I improved through  3 subsequent rotations. But unfortunately, I had not  4 had much rotation time from December 14th to  5 February. But it was my understanding that on the  6 program would be looking for improvement in growth,  7 that was what I understood.  8 Q. Were you familiar at all with the  9 ACGME milestones reporting process?  10 A. Yes.  11 Q. And what did you understand about that  12 process?  13 A. I understood that those milestones are  14 meant to be used to track residents through time.  15 And they're not recommended to be used as snapshots  16 -- snapshot scores or to make heavy stakes  17 decisions based off just one or two data points.  18 They're meant to trend residents over their  19 training careers and to show that development,  20 improvement through time.  21 Q. What if the resident was not meeting  22 the milestones?  23 A. As in the resident was failing to  24 progress or to grow?  25 Q. Was not meeting the milestones as</p>



<p style="text-align: right;">Page 234</p> <p>1 required in the reporting process.</p> <p>2 A. Okay. So the way the milestones work,</p> <p>3 it's not as if there's a clear-cut mark where</p> <p>4 you're not meeting it or you are. It's different</p> <p>5 for each resident. And depends on how much you're</p> <p>6 growing. Everyone starts out in a different place</p> <p>7 when you start training. So if you mark everybody</p> <p>8 by the same level, you have people failing, right?</p> <p>9 The idea with the milestones is to</p> <p>10 trend the resident to take the scores and how</p> <p>11 they're doing in the beginning, and to look at them</p> <p>12 later on and to ensure that they're growing and</p> <p>13 getting better. And if they're not, then to remedy</p> <p>14 that by intervening and providing that extra</p> <p>15 support.</p> <p>16 Q. Where are these standards provided?</p> <p>17 A. ACGME guidelines?</p> <p>18 Q. The standards that you just described,</p> <p>19 where is that information contained? Where is your</p> <p>20 source for information?</p> <p>21 A. ACGME guidelines.</p> <p>22 Q. Where does it say that the ACGME</p> <p>23 milestones are only to be used to track residents</p> <p>24 over time to show their development?</p> <p>25 A. ACGME create these milestones and</p>	<p style="text-align: right;">Page 236</p> <p>1 Q. What do you say in the first sentence</p> <p>2 of this email?</p> <p>3 A. Hello, Dr. Swallow. Thank you again</p> <p>4 for your support and understanding and for meeting</p> <p>5 with me.</p> <p>6 Q. So that as of December 17th, which is</p> <p>7 several days after receipt of the remediation plan,</p> <p>8 as well as the plan with respect to the conditions</p> <p>9 for your return, you're thanking Dr. Swallow for</p> <p>10 her support and understanding, aren't you?</p> <p>11 A. Yes. But this is me -- this is a</p> <p>12 personal trait of mine of being respectful and</p> <p>13 courteous and me walking this fine line of keeping</p> <p>14 the engagement going and still being professional.</p> <p>15 And that's how I reply in all my emails. You'll</p> <p>16 see in all email communications I sent I'm always</p> <p>17 very appreciative and I always start -- start like</p> <p>18 that.</p> <p>19 Q. And you don't address the alleged</p> <p>20 issues you have with the remediation plan or the</p> <p>21 conditions, do you?</p> <p>22 A. No, because the subject of this email</p> <p>23 is the emergency mental health plan. So that's</p> <p>24 what is discussed.</p> <p>25 Q. Well, you didn't address that in the</p>
<p style="text-align: right;">Page 235</p> <p>1 they're using the milestones, so I would assume</p> <p>2 they're using the milestones as intended.</p> <p>3 Q. I'm not asking about your assumptions.</p> <p>4 I'm asking where in the ACGME guidelines does it</p> <p>5 say that the milestones are only to be used to</p> <p>6 track residents over their training to show</p> <p>7 development?</p> <p>8 A. I would have to get you that</p> <p>9 documentation later so you can review it.</p> <p>10 MS. CONRAD: Well, I'm making a formal</p> <p>11 request for the ACGME guidelines that specifically</p> <p>12 provide that the milestones are only to be used to</p> <p>13 track residents over time to show their</p> <p>14 development.</p> <p>15 (Request.)</p> <p>16 (Exhibit 34 was marked.)</p> <p>17 BY MS. CONRAD:</p> <p>18 Q. I want to direct your attention to</p> <p>19 Exhibit 34. Are you familiar with this document?</p> <p>20 A. Yes.</p> <p>21 Q. What is it?</p> <p>22 A. It's an email from myself to</p> <p>23 Dr. Swallow on December 17th submitting her the</p> <p>24 emergency mental health plan she required me to</p> <p>25 create.</p>	<p style="text-align: right;">Page 237</p> <p>1 two documents that were issued to you, did you?</p> <p>2 MS. LOPEZ: Objection</p> <p>3 mischaracterization -- mischaracterization of</p> <p>4 testimony.</p> <p>5 BY MS. CONRAD:</p> <p>6 Q. You didn't submit a rebuttal letter or</p> <p>7 you didn't sign anything underneath your signature</p> <p>8 saying I disagree with this remediation plan or I</p> <p>9 disagree with these conditions to return, did you?</p> <p>10 A. No, I didn't believe that was an</p> <p>11 option. And that would most certainly have created</p> <p>12 more problems and resistance had I gone against the</p> <p>13 grain when I already realized that I was being</p> <p>14 penalized for having a disability.</p> <p>15 So you're suggesting things that I</p> <p>16 could have done. Anything is possible. I could</p> <p>17 have done a lot of things. But at that time, those</p> <p>18 things did not seem to be rational or advantageous</p> <p>19 for me.</p> <p>20 Q. Where does it say any Exhibit 32 or 31</p> <p>21 that you're being penalized for having a</p> <p>22 disability?</p> <p>23 MS. LOPEZ: Objection. Asked and</p> <p>24 answered.</p> <p>25 MS. CONRAD: That is the first time I</p>

<p style="text-align: right;">Page 238</p> <p>1 heard him make that claim.</p> <p>2 MS. LOPEZ: He said it was punitive</p> <p>3 and he explained that it was related to his</p> <p>4 disabilities.</p> <p>5 He's already answered this question,</p> <p>6 counsel.</p> <p>7 MS. CONRAD: And I really request that</p> <p>8 you refrain from testifying for your client.</p> <p>9 BY MS. CONRAD:</p> <p>10 Q. Where does it say in Exhibit 32 or 31</p> <p>11 that you're being penalized for a disability?</p> <p>12 A. As we already went over, it's not</p> <p>13 explicitly stated in the wording, but I described</p> <p>14 the situation of how it was delivered, the</p> <p>15 conversations with Dr. Swallow, and the entire</p> <p>16 atmosphere. And that is what drew the conclusion</p> <p>17 that I was being penalized, as well as the timing</p> <p>18 of events.</p> <p>19 Q. And then you thank her for her support</p> <p>20 and understanding, right?</p> <p>21 A. Again, that's me being polite and</p> <p>22 letting her know I'm still here wanting to work and</p> <p>23 as the phrase goes, you get more flies with honey</p> <p>24 than vinegar. It's being polite. I know you keep</p> <p>25 bringing that up, but that's just a characteristic</p>	<p style="text-align: right;">Page 240</p> <p>1 a result of -- or occur as a result of those</p> <p>2 underlying conditions?</p> <p>3 A. That's a reasonable statement.</p> <p>4 Q. And then wouldn't you want to have or</p> <p>5 seek less stressful rotations in conjunction with</p> <p>6 your mental health?</p> <p>7 A. Yes, definitely. But that was a</p> <p>8 discussion outside of this emergency plan. Almost</p> <p>9 as if you're asked to provide A, B and C, you</p> <p>10 provide A, B and C, not other items not related.</p> <p>11 So I was given instruction on what to do in case I</p> <p>12 have another exacerbation of anxiety, and what I</p> <p>13 would do in the moment. So in the moment, I could</p> <p>14 not go readjust my schedule. But in the moment, I</p> <p>15 can take medication --</p> <p>16 Q. Of course you can --</p> <p>17 A. I can reach out. So these are more</p> <p>18 acute in the moment things I can do to address my</p> <p>19 disability.</p> <p>20 Q. Well, weren't you concerned about</p> <p>21 having a plan to try to prevent the moment?</p> <p>22 A. Yes. And that was the basis of the</p> <p>23 discussions in August, the follow-up in October,</p> <p>24 the follow-up in November, as well as in February.</p> <p>25 Q. Why didn't you incorporate that into</p>
<p style="text-align: right;">Page 239</p> <p>1 of me. I'm always polite.</p> <p>2 Q. Let's look at your emergency plan.</p> <p>3 Now this is an emergency plan for anxiety attacks</p> <p>4 and mental health. Do you see that?</p> <p>5 A. Yes.</p> <p>6 Q. And you list four items, don't you?</p> <p>7 A. Yes.</p> <p>8 Q. Do you list in that plan for anxiety</p> <p>9 attacks and mental health, assignments to less</p> <p>10 stressful rotations?</p> <p>11 A. No. This is an emergency plan for</p> <p>12 acute exacerbation. So, assignment to less</p> <p>13 stressful rotation, modified schedule, that would</p> <p>14 handle the chronic underlying disease.</p> <p>15 My disease doesn't turn on and off.</p> <p>16 It worsens and gets better. So those</p> <p>17 accommodations you just mentioned would address the</p> <p>18 underlying problem. But this plan is to add</p> <p>19 address an acute exacerbations of my disability.</p> <p>20 Q. Doesn't it say this is a plan for your</p> <p>21 mental health?</p> <p>22 A. It also says it's an emergency plan.</p> <p>23 So by emergency, we're talking about acute</p> <p>24 exacerbations.</p> <p>25 Q. And didn't the panic attacks result as</p>	<p style="text-align: right;">Page 241</p> <p>1 your overall plan here?</p> <p>2 MS. LOPEZ: Objection. Asked and</p> <p>3 answered.</p> <p>4 A. Again, what you're asking is not</p> <p>5 related to an emergency plan for anxiety attacks.</p> <p>6 An emergency plan for anxiety attacks is what I,</p> <p>7 Dr. Pablo Salcedo, can do in this moment to</p> <p>8 alleviate my symptoms. And what you --</p> <p>9 Q. So you didn't need less stressful</p> <p>10 rotations for your mental health, did you?</p> <p>11 A. Say again.</p> <p>12 Q. You didn't need less stressful</p> <p>13 rotations for your mental health, did you?</p> <p>14 MS. LOPEZ: Objection.</p> <p>15 A. Of course I did.</p> <p>16 Q. Well, then why didn't you include it</p> <p>17 under the emergency plan for mental health?</p> <p>18 MS. LOPEZ: Objection. Asked and</p> <p>19 answered.</p> <p>20 A. Because those aren't emergency plan</p> <p>21 items. Those aren't emergency plans. I am trying</p> <p>22 to make clear the distinction between a chronic</p> <p>23 underlying disease and an acute exacerbation are</p> <p>24 two different things and require different</p> <p>25 treatment and different ways to address them.</p>

<p style="text-align: right;">Page 242</p> <p>1 What you're referring to is not for</p> <p>2 acute exacerbation, that's to address the chronic</p> <p>3 underlying disease, which is something that is</p> <p>4 implemented over time. It's not just something you</p> <p>5 do in the moment.</p> <p>6 If you look at number one through</p> <p>7 four, they're all de-actionable items that I can do</p> <p>8 in the moment. That's -- that's why it's not on</p> <p>9 there.</p> <p>10 Q. Did you consult with Dr. Munoz in</p> <p>11 creating this plan?</p> <p>12 A. No, I don't believe I consulted with</p> <p>13 Dr. Munoz. I just kind of went on the feedback</p> <p>14 that I've gotten with my care providers as I've</p> <p>15 been working with them.</p> <p>16 Q. Why didn't you consult with Dr. Munoz?</p> <p>17 A. Again, because I had already had</p> <p>18 discussions with him. So my discussions with him</p> <p>19 are consulting with him. But me incorporating what</p> <p>20 I learned from my providers, that's what's in here.</p> <p>21 Q. You list him as an emergency contact,</p> <p>22 don't you?</p> <p>23 A. Yes.</p> <p>24 Q. And you list his telephone number,</p> <p>25 don't you?</p>	<p style="text-align: right;">Page 244</p> <p>1 MS. LOPEZ: Objection. Calls for</p> <p>2 speculation.</p> <p>3 A. I guess that would be a better</p> <p>4 question for Dr. Swallow.</p> <p>5 Q. Well, did you ask Dr. Swallow why you</p> <p>6 were required to provide emergency contacts?</p> <p>7 A. No, I just did as I was told and</p> <p>8 completed the task.</p> <p>9 Q. Were you required to submit their</p> <p>10 telephone numbers?</p> <p>11 A. I don't believe so. I don't think so.</p> <p>12 But I guess perhaps if you're providing an</p> <p>13 emergency contact, it's a little incomplete if you</p> <p>14 don't have the number. So I couldn't answer your</p> <p>15 question as to why the numbers are there.</p> <p>16 Q. Let's go back to document 32. And</p> <p>17 looking at number three, number three addresses the</p> <p>18 emergency plan, doesn't it?</p> <p>19 A. Yes.</p> <p>20 Q. And it states, have a documented</p> <p>21 emergency plan that he will share with us for acute</p> <p>22 mental health issues that may arise. This needs to</p> <p>23 include details about who to contact should he have</p> <p>24 an acute exacerbation of his anxiety that prohibits</p> <p>25 him from being able to safely care for patients.</p>
<p style="text-align: right;">Page 243</p> <p>1 A. Yes.</p> <p>2 Q. Why did you list his telephone number?</p> <p>3 A. It looks like I listed everyone's</p> <p>4 telephone number, so that just is something I did.</p> <p>5 My mom is on here. Her telephone number is on</p> <p>6 there. My friend, his number. My therapist, her</p> <p>7 number. His number is on there, as well.</p> <p>8 Q. And it says emergency contacts, right?</p> <p>9 A. Yes.</p> <p>10 Q. So these are individuals that can be</p> <p>11 contacted in conjunction with an emergency, aren't</p> <p>12 they?</p> <p>13 A. Yes.</p> <p>14 Q. And the purpose of the emergency</p> <p>15 contact was so that your colleagues who were</p> <p>16 working with you, had a resource if there was</p> <p>17 another emergency situation, right?</p> <p>18 A. No. No, I don't believe so. That</p> <p>19 wasn't really the goal there. It was not shared --</p> <p>20 it was just that I was instructed to do that by</p> <p>21 Dr. Swallow. So I completed the task. But it was</p> <p>22 not like she was going to share with members of my</p> <p>23 team.</p> <p>24 Q. So why do you think there was a</p> <p>25 request for emergency contacts?</p>	<p style="text-align: right;">Page 245</p> <p>1 Do you see that statement in number three?</p> <p>2 A. Yes.</p> <p>3 Q. And did you sign off on this document,</p> <p>4 having received it?</p> <p>5 A. Yes.</p> <p>6 Q. And so did you understand the purpose</p> <p>7 of the emergency contacts was to be able to allow</p> <p>8 your colleagues to contact someone if there was an</p> <p>9 exacerbation of your anxiety that prohibited you</p> <p>10 from being able to safely care for patients.</p> <p>11 A. No, I took us to mean Dr. Swallow and</p> <p>12 the program leadership. Colleagues would be</p> <p>13 everyone I'm working with on a day-to-day basis. I</p> <p>14 would in no way want them to have that information.</p> <p>15 Q. But what if you had the acute</p> <p>16 exacerbation of your anxiety outside of</p> <p>17 Dr. Swallow's presence and someone had to call an</p> <p>18 emergency contract?</p> <p>19 MS. LOPEZ: Objection. Calls for</p> <p>20 speculation.</p> <p>21 A. That's a what-if question. I don't</p> <p>22 really know how to answer that.</p> <p>23 (Exhibit 37 was marked.)</p> <p>24 MS. CONRAD: I'm going to direct your</p> <p>25 attention to Exhibit 37. We're not spending time</p>



<p style="text-align: right;">Page 246</p> <p>1 on 35 or 36.</p> <p>2 MS. LOPEZ: You did -- just to be</p> <p>3 clear, is 35 the same as 34? It looks like it.</p> <p>4 That's a duplication; is that right?</p> <p>5 MS. CONRAD: I don't recall.</p> <p>6 MS. LOPEZ: I see. I see what it is.</p> <p>7 Okay.</p> <p>8 BY MS. CONRAD:</p> <p>9 Q. Exhibit 37, are you familiar with this</p> <p>10 document?</p> <p>11 A. Yes.</p> <p>12 Q. It's a two-page document?</p> <p>13 A. Yes.</p> <p>14 Q. What is it?</p> <p>15 A. It's -- again, it's my duty log hour</p> <p>16 of where I submit my hours worked for the day,</p> <p>17 where I worked and what type of work.</p> <p>18 Q. And it's the hours you recorded,</p> <p>19 right?</p> <p>20 A. Yes.</p> <p>21 Q. Do you recall in and about January of</p> <p>22 2018, having the opportunity to work with Stephanie</p> <p>23 Harris?</p> <p>24 A. Yes, that was on medicine consults.</p> <p>25 Q. And what, if anything, do you recall</p>	<p style="text-align: right;">Page 248</p> <p>1 senior resident needing to intervene and they</p> <p>2 changed to the plans that you initiated?</p> <p>3 A. No. And I'm not sure there was a</p> <p>4 senior resident involved at all times. This was a</p> <p>5 consult service. So it was not a teaching service.</p> <p>6 Q. Do you recall meeting with</p> <p>7 Dr. Dewaters to review notes and provide feedback</p> <p>8 with you?</p> <p>9 A. Yeah, yes.</p> <p>10 Q. And do you recall meeting with Dr. --</p> <p>11 is it Munion?</p> <p>12 A. Yes.</p> <p>13 Q. To review clinical cases?</p> <p>14 A. Dr. Munion? I don't believe I met</p> <p>15 with Dr. Munion to review clinical cases. I did</p> <p>16 rotate under him during medicine consults. I</p> <p>17 believe the clinical cases were with Brian McLenon</p> <p>18 and Kinyard Shane.</p> <p>19 Q. And did you -- I believe you already</p> <p>20 testified that you worked through the clinical</p> <p>21 cases from the book that Dr. Swallow provided?</p> <p>22 A. Yes.</p> <p>23 Q. And did she specifically select</p> <p>24 certain case scenarios for you to review?</p> <p>25 A. No. She just gave me that book.</p>
<p style="text-align: right;">Page 247</p> <p>1 from that time with her?</p> <p>2 A. There wasn't much remarkable about</p> <p>3 that time. She was not the most interactive</p> <p>4 attending. She was more remote. And there was</p> <p>5 minimal feedback. I do know that she had left a</p> <p>6 comment -- a negative comment in my evaluation. So</p> <p>7 I did call her to ask her to meet to go over that.</p> <p>8 But I never heard back to get more feedback as to</p> <p>9 what was her concern. But nothing --</p> <p>10 Q. What was the negative comment?</p> <p>11 A. I believe she mentioned that I needed</p> <p>12 more ward time, which given that I had not had much</p> <p>13 ward time, that does make sense, ward time, as in</p> <p>14 floor teaching team time.</p> <p>15 Q. Did she make reference to your medical</p> <p>16 knowledge and management plans are on the level of</p> <p>17 a medical student?</p> <p>18 A. I don't believe so.</p> <p>19 Q. Did she let -- reference that you</p> <p>20 struggle with basic medical knowledge and clinical</p> <p>21 reasoning?</p> <p>22 A. I don't believe so. I would need to</p> <p>23 pull up her individual evaluation to see what she</p> <p>24 marked. I can't --</p> <p>25 Q. Do you recall -- do you recall her</p>	<p style="text-align: right;">Page 249</p> <p>1 (Exhibit 39 was marked.)</p> <p>2 Q. Let me direct your attention to</p> <p>3 Exhibit 39.</p> <p>4 A. I seem to jump from 38 to 40.</p> <p>5 MS. LOPEZ: I don't have a 39.</p> <p>6 Q. It's HMC 453. It seems I'm only one</p> <p>7 that has 39. So I'll put that aside and we'll</p> <p>8 follow-up another time with that.</p> <p>9 Did you also meet with Dr. Gonzalo?</p> <p>10 A. Yes.</p> <p>11 Q. And what, if anything, do you recall</p> <p>12 about your time with Dr. Gonzalo?</p> <p>13 A. I recall it being kind of a weird</p> <p>14 remediation session, because Dr. Gonzalo did not</p> <p>15 have instructions on what he was supposed to be</p> <p>16 doing during the session. So it was rather</p> <p>17 impromptu. So we ended up just taking the session</p> <p>18 to discuss my disability, how it was impacting me</p> <p>19 and how I was adjusting through residency.</p> <p>20 Q. Isn't it true that you reported the</p> <p>21 issue you had with anxiety and other psychological</p> <p>22 issues you had for years?</p> <p>23 A. Yes.</p> <p>24 Q. Excuse me?</p> <p>25 A. Yes.</p>

<p style="text-align: right;">Page 250</p> <p>1 Q. You also reported there was a question 2 of bipolar disease in your past, didn't you? 3 A. Oh, when I was younger in medical 4 school. I believe it was a misdiagnosis. I was 5 being trialed on a couple medications. 6 Q. And didn't you inform him that newness 7 is your issue, that you struggle to acclimate to 8 new? 9 A. Yes. 10 Q. I'm sorry, did you answer that 11 question? 12 A. Yes. Yes. 13 Q. And did you relate to him that you 14 were worried about a new environment, new 15 attending, new resident, new process, new acuity? 16 A. Yes. 17 Q. Did you also discuss that ICU rotation 18 is not a requirement for you? 19 A. I don't recall that discussion, that 20 part of the discussion. 21 Q. Do you recall going through a clinical 22 case with him? 23 A. No. 24 Q. Did you meet with Dr. Shane Kinyard? 25 A. Yes.</p>	<p style="text-align: right;">Page 252</p> <p>1 MS. LOPEZ: First break you said was 2 two hours. 3 THE VIDEOGRAPHER: yeah. And then the 4 last one was 106 minutes, what is that? Just about 5 an hour. 6 MS. LOPEZ: Hour 20. 7 THE VIDEOGRAPHER: Yeah. 8 MS. LOPEZ: Hour 40. 9 THE VIDEOGRAPHER: Hour 40, yes. 10 Sorry, not doing the best with the math. I 11 apologize. 12 MS. LOPEZ: We're almost at four 13 hours, four hours 90 minutes, if I am doing my math 14 right. 15 THE VIDEOGRAPHER: Yes. That would be 16 about correct, yes. 17 MS. CONRAD: Can you go over that 18 again for me, please? 19 THE VIDEOGRAPHER: Oh, the minutes? 20 MS. CONRAD: So we started with two 21 hours, right? 22 THE VIDEOGRAPHER: Started at two 23 hours. And then went to 106 minutes, would be an 24 hour and 40 minutes, and now we're at an hour and 25 45 minutes.</p>
<p style="text-align: right;">Page 251</p> <p>1 Q. And did you go over a case with him? 2 A. Yes. 3 Q. And did he provide you feedback about 4 that review? 5 A. Yes. I believe it was along the lines 6 of that I had a good differential diagnosis and 7 that I ordered appropriate tests. There were a 8 couple things that I forgot. But that with time, I 9 would get better with my medical knowledge. 10 MS. CONRAD: I'm about to enter a new 11 area. And in light of the time at 4:48, we can 12 continue or I can start fresh with this new area 13 when we reconvene. 14 MS. LOPEZ: Do you know how long the 15 new area will -- like if it's another half hour, I 16 think we should keep going. 17 MS. CONRAD: No probably over an hour. 18 MS. LOPEZ: But how much time is left, 19 If I can the videographer. 20 THE VIDEOGRAPHER: So at the moment, 21 it's been an hour and 45 minutes for just this one. 22 MS. LOPEZ: Okay. So the cumulative 23 -- we've been going since our last break at 10 of. 24 THE VIDEOGRAPHER: So we started at 25 10:22 a.m. Let me quickly do the math here.</p>	<p style="text-align: right;">Page 253</p> <p>1 MS. CONRAD: Okay. Thank you. 2 THE VIDEOGRAPHER: You're welcome. 3 MS. LOPEZ: So hour 45, so that is 4 1.75. Okay. 5 MS. CONRAD: So we're about at five 6 hours. 7 MS. LOPEZ: We're about at five hours. 8 MS. CONRAD: Okay. We can request an 9 adjournment. You're not going to move forward with 10 more? You don't want to continue for another hour? 11 We prefer to continue, if you're up for it. 12 MS. CONRAD: I would prefer, knowing 13 that we have at least two more hours, and I may 14 seek additional time from the court, that we 15 adjourn and continue on another day. 16 MS. LOPEZ: Well, I can't agree to 17 that. But I understand your position. Can we go 18 off the record, please? 19 THE VIDEOGRAPHER: Yeah, of course. 20 The time is 4:50 p.m. We're going off the record. 21 (Discussion held of the record.) 22 THE VIDEOGRAPHER: The time is 4:58 23 p.m., we're going back on the record. 24 MS. LOPEZ: Counsel and I, plaintiff 25 and defense counsel, have conferred and recognized</p>

Page 254

1 the lateness of the hour and the amount of time  
 2 still needed to conclude the deposition. And we've  
 3 decided to adjourn the deposition and reconvene  
 4 at -- we suggested dates such as December 16 or  
 5 22nd.

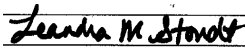
6 And in addition, defense counsel will  
 7 follow up with assessment of -- if she needs  
 8 additional time and how much time that would be to  
 9 address the 11 pages that were submitted to her  
 10 yesterday and -- Monday and yesterday. Is there  
 11 anything else, counsel?

12 MS. CONRAD: Only that I'll forward a  
 13 list of the additional documents that were  
 14 identified during the deposition, and I would  
 15 request that they be produced, to the extent they  
 16 exist, prior to the deposition resuming.

17 MS. LOPEZ: That is fine. That is  
 18 fine. Okay.

19 THE VIDEOGRAPHER: Okay. So the time  
 20 is 4:59 p.m. This ends the deposition for today.  
 21 Going off the record.  
 22 (Deposition adjourned at 5:00 p.m.)  
 23  
 24  
 25

Page 255

1 CERTIFICATE  
 2  
 3 I do hereby certify that the aforesaid  
 4 testimony was taken before me, pursuant to notice,  
 5 at the time and place indicated; that said deponent  
 6 was by me duly sworn to tell the truth, the whole  
 7 truth, and nothing but the truth; that the  
 8 testimony of said deponent was correctly recorded  
 9 in machine shorthand by me and thereafter  
 10 transcribed under my supervision with  
 11 computer-aided transcription; that the deposition  
 12 is a true and correct record of the testimony given  
 13 by the witness; and that I am neither of counsel  
 14 nor kin to any party in said action, nor interested  
 15 in the outcome thereof.  
 16  
 17  
 18  
 19  
 20  
 21   
 22  
 23 \_\_\_\_\_  
 24 Leandra Stoudt, RPR, CRR  
 25 CBC, CCP, Notary Public

Page 256

1 Sharon R. Lopez, Esquire  
 2 lopez@triquetralaw.com  
 3 December 6, 2021  
 4 RE: Salcedo, Pablo A. v. The Milton S. Hershey Medical Center  
 5 12/1/2021, Pablo A. Salcedo (#4971897)  
 6 The above-referenced transcript is available for  
 7 review.  
 8 Within the applicable timeframe, the witness should  
 9 read the testimony to verify its accuracy. If there are  
 10 any changes, the witness should note those with the  
 11 reason, on the attached Errata Sheet.  
 12 The witness should sign the Acknowledgment of  
 13 Deponent and Errata and return to the deposing attorney.  
 14 Copies should be sent to all counsel, and to Veritext at  
 15 erratas-cs@veritext.com  
 16  
 17 Return completed errata within 30 days from  
 18 receipt of transcript.  
 19 If the witness fails to do so within the time  
 20 allotted, the transcript may be used as if signed.  
 21  
 22 Yours,  
 23 Veritext Legal Solutions  
 24  
 25

Page 257

1 Salcedo, Pablo A. v. The Milton S. Hershey Medical Center  
 2 Pablo A. Salcedo (#4971897)  
 3 E R R A T A S H E E T  
 4 PAGE\_\_\_\_ LINE\_\_\_\_ CHANGE\_\_\_\_\_  
 5 \_\_\_\_\_  
 6 REASON\_\_\_\_\_  
 7 PAGE\_\_\_\_ LINE\_\_\_\_ CHANGE\_\_\_\_\_  
 8 \_\_\_\_\_  
 9 REASON\_\_\_\_\_  
 10 PAGE\_\_\_\_ LINE\_\_\_\_ CHANGE\_\_\_\_\_  
 11 \_\_\_\_\_  
 12 REASON\_\_\_\_\_  
 13 PAGE\_\_\_\_ LINE\_\_\_\_ CHANGE\_\_\_\_\_  
 14 \_\_\_\_\_  
 15 REASON\_\_\_\_\_  
 16 PAGE\_\_\_\_ LINE\_\_\_\_ CHANGE\_\_\_\_\_  
 17 \_\_\_\_\_  
 18 REASON\_\_\_\_\_  
 19 PAGE\_\_\_\_ LINE\_\_\_\_ CHANGE\_\_\_\_\_  
 20 \_\_\_\_\_  
 21 REASON\_\_\_\_\_  
 22 \_\_\_\_\_  
 23 \_\_\_\_\_  
 24 Pablo A. Salcedo Date \_\_\_\_\_  
 25

Page 258

1 Salcedo, Pablo A. v. The Milton S. Hershey Medical Center

2 Pablo A. Salcedo (#4971897)

3 ACKNOWLEDGEMENT OF DEPONENT

4 I, Pablo A. Salcedo, do hereby declare that I

5 have read the foregoing transcript, I have made any

6 corrections, additions, or changes I deemed necessary as

7 noted above to be appended hereto, and that the same is

8 a true, correct and complete transcript of the testimony

9 given by me.

10

11 \_\_\_\_\_

12 Pablo A. Salcedo Date

13 \*If notary is required

14 SUBSCRIBED AND SWORN TO BEFORE ME THIS

15 \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

16

17

18

19 \_\_\_\_\_

20 NOTARY PUBLIC

21

22

23

24

25

66 (Page 258)

Veritext Legal Solutions

215-241-1000 ~ 610-434-8588 ~ 302-571-0510 ~ 202-803-8830

[02201 - 26th]

Page 1

<b>0</b>	<b>13</b> 3:22 159:4,6 214:5	<b>19th</b> 51:6,10 71:9 <b>1:00</b> 102:2 127:17 <b>1:03</b> 102:10 <b>1:19</b> 1:2 <b>1st</b> 5:14 122:6	115:25 117:17 118:5 119:5 133:11 135:16 172:17,22 246:22
<b>02201</b> 1:2	<b>134</b> 3:15 <b>135</b> 3:16	<b>2</b>	<b>2019</b> 13:5 <b>2021</b> 1:10 256:3 <b>205</b> 4:14 <b>207</b> 4:15 <b>21</b> 220:20,24 <b>211</b> 4:16 <b>216</b> 4:17 <b>22</b> 4:24 <b>229</b> 4:18 <b>22nd</b> 254:5 <b>23</b> 4:8 179:24 180:1 181:6 <b>235</b> 4:25 <b>23rd</b> 90:19 91:9 127:13,25 141:24 214:9 <b>24</b> 4:9 43:12,18 49:19 92:3 94:3 95:1 96:10 130:3 181:4,9 182:14,23 <b>245</b> 4:20 <b>249</b> 4:21 <b>24th</b> 22:3 44:24 45:21 50:4,9 91:7 91:20 93:20 127:18,22 128:3 172:17 <b>25</b> 4:10 183:10,12 <b>25th</b> 22:3,4 25:4 70:4 141:22 160:20,21 167:18 <b>26</b> 4:11 189:22,24 190:8,9 <b>26th</b> 56:10,12 115:1,2,24 117:6 117:13,17,22 118:5,21 133:11
<b>1</b>	<b>14</b> 3:23 85:13 129:6 160:4,6,6 175:4 211:20 212:1 225:4 231:24 232:15 <b>145</b> 3:17 <b>146</b> 3:18 <b>14th</b> 38:21 39:2 48:9 53:10 85:17 99:4 175:6 177:16 213:17 216:16 231:2,10 232:17 233:4 <b>15</b> 56:17,18 124:24 163:1 <b>151</b> 3:19,20 <b>159</b> 3:23 <b>16</b> 4:4 140:16 141:14 162:22,24 163:14 254:4 <b>162</b> 4:4 <b>17</b> 3:10 4:5,25 112:21 170:11,13 170:17 <b>172</b> 4:6 <b>173</b> 4:7 <b>17602</b> 1:16 <b>17th</b> 235:23 236:6 <b>18</b> 4:6 51:4 130:3 172:6,8,8 214:5,8 <b>180</b> 4:8 <b>18034</b> 2:4 <b>189</b> 4:11 <b>18th</b> 228:12 <b>192</b> 4:24 <b>197</b> 4:12	<b>2</b> 3:11 54:13,14 77:8 103:7 107:15 <b>2-4</b> 3:15 <b>20</b> 4:7 129:5 173:5 173:7 176:5 252:6 258:15 <b>2008</b> 108:22 109:2 <b>201</b> 4:13 <b>2017</b> 20:7,9 22:3 34:6 35:3,9,14 36:2,9 39:2,22 41:1 48:9 53:10 84:3 85:13 111:10 111:13 112:21 122:6 136:9 144:15,23 146:19 147:4 160:16 163:19,20,24 169:4,9,19 172:22 173:11,23 174:5 179:17 181:19,22 182:4 183:13 189:4 190:1 203:15,19,23 205:20 206:11,24 208:14,20 211:20 212:2 216:16 225:5 231:10 232:17 <b>2018</b> 19:6 25:4 43:12,18 49:19 50:4 51:2 87:23 90:20 91:9 92:3 94:3 95:1 96:10 98:15 99:6 106:15	
<b>1</b> 1:10 3:10 5:10 17:25 18:17,18 47:23 76:6,22,23 107:15 131:4,4,9 146:19 <b>1.75.</b> 253:4 <b>10</b> 3:20 124:25 152:16,18 251:23 <b>10/23</b> 172:16 <b>10/30/17</b> 4:7 <b>100</b> 27:6 29:13 44:7 97:24 98:8 108:14 192:2 <b>101</b> 3:12 99:10 <b>102</b> 100:13 <b>106</b> 252:4,23 <b>10:18</b> 189:4 <b>10:22</b> 5:14 251:25 <b>10th</b> 139:7 <b>11</b> 3:21 119:15,15 125:12 128:6 133:4 153:25 154:2 203:23 205:7 206:23 254:9 <b>115,000</b> 13:7 <b>118</b> 4:24 <b>12</b> 47:25 123:14 133:16 203:15 206:11 208:14,20 <b>12/1/2021</b> 256:5 <b>12/6/17183</b> 4:10 <b>129</b> 3:14 <b>12:28</b> 102:6 <b>12:30</b> 102:1 <b>12th</b> 202:7			

[26th - able]

Page 2

142:11 177:19 <b>27</b> 4:12 136:9 196:25 197:1,24 <b>27th</b> 56:10 136:16 <b>28</b> 4:13 35:3,9,14 36:9 163:20,24 201:18,19 <b>28th</b> 34:5 35:5 36:2 164:16,22 167:19,21 169:4 169:19 203:19 <b>29</b> 4:14 204:23,24 204:25 206:19,19 <b>2:49</b> 177:23 178:2 <b>2nd</b> 139:13	237:20 238:10 244:16 <b>33</b> 4:18 229:10,11 229:13 230:21 232:19 <b>34</b> 4:19 235:16,19 246:3 <b>35</b> 1:16 246:1,3 <b>36</b> 246:1 <b>37</b> 4:20 245:23,25 246:9 <b>3701</b> 2:4 <b>38</b> 249:4 <b>39</b> 4:21 249:1,3,5,7 <b>3:00</b> 177:24 <b>3:03</b> 178:7	<b>5</b> <b>5</b> 3:15 25:13 108:20 134:24,25 <b>50</b> 71:8 128:10,13 128:15 <b>53</b> 3:11 71:17,24 <b>54</b> 72:13 79:15 <b>55</b> 81:15 <b>581</b> 142:12 144:17 <b>582</b> 142:23 <b>583</b> 142:3 <b>585</b> 139:13 <b>586</b> 138:6 139:7 <b>588</b> 136:7 <b>59</b> 82:9 <b>5:00</b> 178:20 179:1 254:22 <b>5th</b> 19:6	<b>70</b> 83:25 85:7 <b>717-299-6300</b> 1:17 <b>77</b> 85:12 <b>78</b> 83:9,9 86:12 <b>7:30</b> 142:5 <b>7th</b> 138:5 190:25 191:7 192:17 193:10
<b>3</b>	<b>4</b>	<b>6</b>	<b>8</b> <b>8</b> 3:18 4:24 147:8 147:11 <b>8/28/17</b> 4:4 <b>80</b> 74:9 83:9,24 <b>84</b> 90:17,18,24 <b>85</b> 91:10 92:5,8 93:25 95:18 <b>856</b> 135:9 <b>8th</b> 196:10
<b>3</b> 3:12 19:19 37:21 102:13,16,19 193:4 <b>3.0</b> 183:8 <b>3.0.</b> 182:5 <b>3.3.</b> 131:17 <b>3.5</b> 183:5 <b>30</b> 4:15 47:20 207:1,3,3,5,6 256:17 <b>300</b> 2:4 <b>301</b> 1:16 <b>30th</b> 20:7,9 35:7 35:22 166:23 170:16 171:1 173:11,23 175:3,5 176:11,12,15,24 177:1,5,16 <b>31</b> 4:16 211:14,16 217:7 218:15,19 224:3 225:11 232:19 237:20 238:10 <b>32</b> 4:17 216:12,13 217:6 224:1 227:3	<b>4</b> 3:14 22:9 98:15 107:15 108:6,6 130:21,22 135:6 144:15 169:4 <b>40</b> 14:3 249:4 252:8,9,24 <b>45</b> 57:8,9 90:10 251:21 252:25 253:3 <b>453</b> 249:6 <b>47</b> 58:4,5 <b>48</b> 60:16 63:3 <b>488</b> 255:21 <b>48b</b> 69:18 70:6 <b>4971897</b> 256:5 257:2 258:2 <b>4:48</b> 251:11 <b>4:50</b> 253:20 <b>4:59</b> 254:20 <b>4th</b> 98:16,18,25 99:6 101:9	<b>6</b> 3:5,16 47:24 109:22 131:25,25 136:2,4 189:4 256:3 <b>6/27/17</b> 3:16 <b>60</b> 83:8,25 <b>610-782-4909</b> 2:5 <b>63</b> 84:2 <b>67</b> 84:23 <b>69</b> 85:7 <b>6:30</b> 45:23 46:10 127:18,19 128:1,1 <b>6th</b> 51:2 137:3,11 138:2 183:12,22 190:1,24 191:10 191:11,19	<b>9</b> 3:19 151:21,23 <b>90</b> 56:9 252:13 <b>91</b> 96:20 <b>947</b> 150:20 <b>98</b> 97:12,13 <b>9:57</b> 1:10 <b>9th</b> 87:22
		<b>7</b>	<b>a</b> <b>a.m.</b> 1:10 5:14 45:23 46:10,19 47:24 127:19,20 128:1 189:4 191:10 251:25 <b>ability</b> 9:24 10:1 23:22 40:14 66:15 67:16 69:19 77:4 84:19 91:15 119:21 131:13 <b>able</b> 40:17 41:8 45:9 58:23 67:21 68:1 69:4 70:20
		<b>7</b> 3:17 46:19 123:15 146:10,12 190:15 191:9	



[able - address]

Page 3

70:24 85:8 113:8 114:14 152:13 160:1,2 176:20 180:14 216:6 227:20 244:25 245:7,10 <b>absence</b> 38:20 49:25 50:2 133:5 133:8 194:23 196:16,17,23 228:5 <b>accept</b> 125:2,16 131:7 <b>accepting</b> 113:9 <b>access</b> 17:21 101:11 146:25 153:6 156:4 157:7 159:18 160:12 <b>acclimate</b> 250:7 <b>accommodate</b> 8:12 76:11 77:4 <b>accommodated</b> 82:20 91:22 217:1 <b>accommodation</b> 4:4 14:21 15:4,7 15:11 19:20 20:5 20:10,13 21:6 22:10,11,25 24:7 25:15,20,24 26:4 26:15,19,20 27:2,3 27:13,22 28:12,17 29:2,10,12 30:7 32:6 41:17,21 49:22 59:6 62:22 65:14,18,19 66:5 66:14 67:8 70:21 71:19 73:3 81:11 81:16,20,22,22 82:6 83:1,5 91:18 91:21 92:2,10,11 92:12,16,22 93:1,2	93:3,9,22 94:5,16 95:3,5,11 109:24 110:8,18 111:5,10 128:17 130:19 147:5 154:7 156:2 157:24 158:4,17 158:21 159:2 162:14,18 163:17 171:2 172:3 173:19 202:6 <b>accommodations</b> 13:18,21,24 14:6,7 14:14,15,18,25 15:13 20:16 21:9 23:11 24:21 32:10 34:7,15 35:12 39:5 41:5,9,10,12 42:6,10,22 43:6,7 45:16 46:6 49:10 53:11 58:6,10,15 58:17 59:4,4,9,16 59:17 61:14 64:16 65:2 66:10 67:9 74:1 79:5 82:1,11 82:17,22 93:17 104:7 108:25 109:4,8,10,12,18 111:1,14,19 114:2 119:1,3,11,17 121:15,17,20 122:9 128:9 130:6 130:11,15 138:2 144:1 158:9 162:7 162:12 164:3,6,12 167:10,15,16 168:3,13,23 169:13 170:5 173:12,14,18 202:20 209:16 216:3 222:15 239:17	<b>account</b> 155:6,7 155:11 157:9 <b>accounting</b> 110:19 <b>accuracy</b> 103:3 256:9 <b>accurate</b> 55:4 58:14 63:8 92:6,7 94:6,8 95:18,24 111:4 148:2 219:9 221:2,6 <b>accurately</b> 220:4 <b>accusation</b> 51:22 <b>acgme</b> 76:5 78:25 132:1,5,23 233:9 234:17,21,22,25 235:4,11 <b>acgme's</b> 132:17 <b>acknowledge</b> 6:6,9 <b>acknowledged</b> 120:2,14 <b>acknowledgement</b> 258:3 <b>acknowledges</b> 138:10 <b>acknowledging</b> 193:21 <b>acknowledgment</b> 256:12 <b>acquire</b> 221:6 <b>act</b> 120:6 121:23 122:3,19 123:2,5 <b>acted</b> 120:2,15 <b>action</b> 8:1 120:24 121:6,12,14 126:24 214:10 229:4 255:14 <b>actionable</b> 242:7 <b>actions</b> 61:20 159:15,15 <b>activities</b> 17:9 214:4	<b>activity</b> 16:4 57:24 <b>actor</b> 89:14 <b>actual</b> 7:7 224:25 226:13 <b>acuity</b> 250:15 <b>acute</b> 43:11,18 45:25 227:19 239:12,19,23 240:18 241:23 242:2 244:21,24 245:15 <b>ad</b> 121:18 <b>ada</b> 156:2 157:3 <b>adapting</b> 88:7 <b>add</b> 171:21 178:25 239:18 <b>added</b> 94:14 96:2 203:16 <b>addendum</b> 114:6 114:11 <b>addition</b> 20:21 94:12 106:7 178:14 198:6 254:6 <b>additional</b> 9:19 14:6 20:23 70:22 80:23 81:4 130:15 145:2 164:25 178:15,19 179:11 195:8 204:11 209:3 210:2 253:14 254:8,13 <b>additions</b> 55:11 258:6 <b>address</b> 39:18 41:9,17 42:6,9,21 74:11 110:4 114:1 133:16 154:10,16 154:18 165:12 212:18 216:21 222:6 236:19,25
--	---	--	---

[address - answer]

Page 4

239:17,19 240:18 241:25 242:2 254:9 <b>addressed</b> 15:12 35:10 87:20 100:7 121:7 165:5,8 167:16 168:12 169:16,17 176:21 189:2 195:23 197:22 213:25 217:22,25 <b>addresses</b> 244:17 <b>addressing</b> 209:19 210:14 <b>adequate</b> 77:9,14 77:14 202:23 203:14 <b>adequately</b> 15:12 <b>adhd</b> 161:4,21 <b>adjourn</b> 253:15 254:3 <b>adjourned</b> 254:22 <b>adjournment</b> 253:9 <b>adjusting</b> 249:19 <b>adjustment</b> 138:10 <b>administer</b> 6:11 <b>administered</b> 6:10 <b>administration</b> 144:24 226:21 228:15 <b>administrative</b> 17:6 57:22 216:4 <b>administrator</b> 226:19 <b>admitting</b> 184:19 <b>advance</b> 23:5 61:4 69:18 70:2,9,11,14 70:19 132:15,24 139:19	<b>advanced</b> 12:22 16:9,11 <b>advantageous</b> 237:18 <b>adverse</b> 186:12 188:14 209:22 <b>advice</b> 29:9 <b>advised</b> 210:16 <b>affect</b> 9:24 <b>affiliated</b> 131:11 199:1 <b>aforesaid</b> 255:3 <b>afternoon</b> 9:3 127:5 <b>age</b> 226:12 <b>ago</b> 66:22,22 87:25 208:5 <b>agree</b> 131:9 134:11 143:15,20 159:22 183:1,20 186:23 187:3,22 188:4,7,8,19 194:17,20 199:2 204:2 208:25 210:22 211:2 224:17,18 231:23 253:16 <b>agreed</b> 60:9,25 73:16 131:7 144:11 188:17 <b>agreement</b> 3:14,15 16:20,22 17:14 57:11,13,18 131:2 131:8 132:1,5,22 133:5 135:5 168:24 187:17 188:13 228:8 <b>agrees</b> 187:1 <b>ahead</b> 220:22 <b>aid</b> 84:9	<b>aided</b> 255:11 <b>aka</b> 216:6 <b>alcohol</b> 185:23,25 <b>aliya</b> 107:14 <b>allegation</b> 22:13 34:8 36:12,14 37:5 56:21 57:3 58:7 70:5 71:20 72:15 81:17 82:12 85:15 96:9,23 100:15 115:7 <b>allegations</b> 54:23 55:7 103:3 <b>allege</b> 56:18 72:13 81:15 82:9 85:12 91:10 96:20 110:23 128:7 <b>alleged</b> 84:23 105:24 126:3 236:19 <b>allegedly</b> 166:20 170:14 171:1 229:17,18 <b>alleging</b> 158:16 <b>allen</b> 12:20 13:23 14:1,13 130:6 <b>alleviate</b> 241:8 <b>allotted</b> 256:20 <b>allow</b> 74:19 77:9 77:19 202:23 214:15,20 245:7 <b>allowed</b> 77:14 <b>allows</b> 203:14 <b>altered</b> 128:19 <b>alternative</b> 22:24 <b>altogether</b> 223:19 <b>ambiguous</b> 52:9 55:13 59:22 64:19 65:12,25 67:23 75:15 80:5	<b>amenable</b> 64:5 <b>ami</b> 48:16 88:17 89:20 <b>amnesia</b> 37:13,18 38:1 42:2 54:10 84:12,16 191:1 209:21 230:11,14 230:16 <b>amnestic</b> 38:19 53:10 184:1 185:1 190:23 191:12 201:24 209:15,18 210:5 211:20 212:15 215:8 218:4 230:18 <b>amount</b> 76:21 83:13 91:23 124:3 181:2 254:1 <b>ample</b> 14:4,4 <b>amy</b> 225:14 226:25 <b>annual</b> 13:6 <b>answer</b> 8:7,18 11:25 29:1,6 30:3 30:21 31:14 32:20 34:1 35:25 42:14 43:1 50:15,24 54:19 56:7 58:21 61:21 64:4 65:13 66:3,24 68:5,17,19 69:2 73:13 78:8 78:20 79:9 83:19 94:20,25 95:10,16 95:21 99:5 103:17 108:6 110:13 117:16 150:10 151:16 168:16 169:23 203:3,9 204:7,13 215:23 216:23 219:15 223:4 231:9
--	---	--	--



[answer - asking]

Page 5

244:14 245:22 250:10 <b>answered</b> 27:16 27:19 28:24 30:2 30:19 31:7,12 32:19 33:25 35:16 35:17 36:5 42:8 42:13,25 56:6 58:20 62:5,15 63:16,17 64:3,20 65:1 66:18 67:14 68:9 69:1 73:11 74:23 78:7,19 79:8 80:5 92:24 94:18,22 95:8,13 95:19 112:7 116:6 121:25 122:1,21 168:15 169:22 201:4 203:1,25 204:4,6 215:22 218:10 219:14 231:8 237:24 238:5 241:3,19 <b>answers</b> 112:17 151:18 <b>antonio</b> 108:1 184:12 <b>anxiety</b> 15:2 20:25 21:9 43:24 46:2 90:22 91:15 96:15 136:18 137:16 143:7 145:11 161:3,4,9,20 171:18 227:20 239:3,8 240:12 241:5,6 244:24 245:9,16 249:21 <b>anxious</b> 45:8 171:22 <b>anymore</b> 96:14 158:11	<b>apart</b> 53:12 <b>apologize</b> 102:5 157:15 205:6 252:11 <b>apparent</b> 53:21 <b>appeal</b> 99:9,12,14 99:14,17 100:2,8 <b>appear</b> 20:22 155:5 <b>appearances</b> 1:14 2:1 5:21 <b>appeared</b> 193:4 <b>appears</b> 136:8 151:4 165:23 <b>appended</b> 258:7 <b>applicable</b> 256:8 <b>application</b> 180:13 <b>applied</b> 17:18 18:5 18:10 100:2 <b>apply</b> 8:18 <b>appointment</b> 112:14 138:21 139:10 143:14 <b>appointments</b> 196:12 <b>appreciate</b> 101:22 136:13 142:24 143:4,5 <b>appreciated</b> 136:22 <b>appreciative</b> 236:17 <b>apprehension</b> 137:18 <b>apprehensive</b> 136:21 <b>approached</b> 121:5 <b>appropriate</b> 30:24 79:23 80:19 81:1 134:18 164:12 169:25 221:7	251:7 <b>appropriately</b> 158:22 <b>approval</b> 61:24 62:7 63:23 68:20 68:24 69:4,6 <b>approve</b> 62:3 <b>approximately</b> 25:2 102:1 127:18 127:20 128:1 228:13 <b>april</b> 98:15,16,18 98:25 99:6 101:8 <b>aramani</b> 230:8 <b>area</b> 231:20 251:11,12,15 <b>areas</b> 69:15,16 85:24 86:1 213:21 213:24 220:17 231:12 <b>argumentative</b> 29:4,5 60:5 168:14 202:25 203:5,8 <b>arisen</b> 195:9 <b>arrange</b> 119:18 226:25 228:20,21 <b>arranged</b> 190:5 228:18 229:9 <b>arrangement</b> 6:12 <b>ascii</b> 5:7 <b>ashley</b> 100:19 101:13 <b>aside</b> 39:24 90:12 223:24 230:22 249:7 <b>asked</b> 14:10 22:9 27:15,18 28:23 30:1,19 31:6,11 32:18 33:24 35:15 36:4 40:4,22 42:7	42:12,24 47:1,17 54:3 56:5 58:19 62:2,4,17 63:15,23 64:2,20,25 66:17 66:21 67:14,17 69:1 73:10 74:22 77:16,17 78:6,18 79:7 80:5 89:8 92:23 94:17 95:8 95:12 114:13 116:5 117:2 121:25 122:1,13 122:21 123:15 133:1 140:17 157:15 166:14 168:15 169:21 193:2 201:3,5,17 202:11 203:1,24 204:4,6 215:21 218:10 219:14 221:17 225:7 226:22 231:7 237:23 240:9 241:2,18 <b>asking</b> 8:4 10:13 24:1 33:8,12 35:13 46:9,19 52:17,18 55:16,20 60:12 65:7,19,22 66:9,12 67:9,10,15 67:16 68:23 77:18 77:22 79:2,3 80:7 92:7 94:24 95:14 95:15,17 114:13 116:12 122:10,11 140:12 141:25 175:22 177:4 186:25 187:19 192:7 193:15 196:9 203:21 204:15 209:9
--	---	--	--

[asking - batz]

Page 6

210:21 218:6,6,13 222:4,5,19 223:16 232:14 235:3,4 241:4 <b>asks</b> 137:6 <b>aspirational</b> 100:21 <b>assert</b> 115:2 <b>assessed</b> 223:17 <b>assessment</b> 161:16 186:23 188:5 208:18 209:2 210:3 254:7 <b>assigned</b> 75:11 133:25 134:2 <b>assignment</b> 239:12 <b>assignments</b> 77:8 239:9 <b>assistant</b> 40:2 <b>associate</b> 105:21 <b>associated</b> 197:21 199:16 <b>assume</b> 52:15 78:23 235:1 <b>assumed</b> 125:15 <b>assuming</b> 78:23 122:25 <b>assumption</b> 43:4 97:6 185:10 224:24 <b>assumptions</b> 52:17 235:3 <b>atmosphere</b> 238:16 <b>attach</b> 170:2,6,9 191:15 <b>attached</b> 191:22 256:11 <b>attachment</b> 155:19 156:16,17	<b>attack</b> 145:5,17 <b>attacks</b> 145:2 239:3,9,25 241:5,6 <b>attend</b> 16:2,25 152:1 <b>attending</b> 49:6 58:24 71:3 98:21 105:6 153:18 225:17 226:17 229:1 247:4 250:15 <b>attending's</b> 71:1 <b>attendings</b> 21:13 23:8 48:13 69:21 72:11 99:2 120:20 121:16 144:9 219:7 225:21 <b>attention</b> 18:16 19:17 54:12 56:8 56:16 57:7 58:3 90:18 102:15 103:7 108:5 109:21 124:24 125:22,24 126:1 129:5 130:2,20 131:3,16,24 134:23 135:7 136:3 139:22 146:11 147:10 150:8 151:22 152:17 154:1 159:5 160:5 162:23 163:13 170:12 172:7 173:6 179:25 181:8 182:13 183:11 192:6 193:25 194:4 196:24 204:22 206:18 207:2 211:15 235:18	245:25 249:2 <b>attorney</b> 8:1 10:11 10:21 11:16,24 80:9 256:13 <b>attorneys</b> 6:5 <b>attributed</b> 93:5 <b>attributing</b> 196:5 <b>august</b> 20:6,7,9 22:3,3 25:4 34:5 35:3,5,7,8,22 36:2 36:8 70:3 71:9 111:10,13 139:13 140:16 141:14,22 141:24 142:11 147:4 160:16,21 163:19,20,24 164:16,22 167:18 167:19,21 169:4 169:19 170:16 171:1 175:3,5 176:11,15,24 177:1,16 203:19 205:20 240:23 <b>auto</b> 185:10 <b>availability</b> 229:2 <b>available</b> 78:2,10 130:5 168:5 229:5 256:6 <b>avenues</b> 222:21 <b>average</b> 86:8,9 98:13,13,20,20 100:20,21 <b>avoid</b> 12:12 61:19 <b>awards</b> 13:16 <b>aware</b> 6:23 50:16 50:17 78:9 104:25 106:23 107:6,10 117:23 127:2 179:16 189:11	<b>b</b> <b>b</b> 240:9,10 <b>back</b> 33:20 55:21 55:25 82:4,7 102:10 116:24 122:16 128:6 149:19 163:8 166:19 178:7 196:7,8 203:18 205:7 208:10 217:9 218:15 220:9 222:14,20 224:3 226:10 244:16 247:8 253:23 <b>bad</b> 46:20 <b>badged</b> 17:15 <b>barbara</b> 31:17 <b>base</b> 57:3 <b>based</b> 9:6 16:8 103:13 132:1,5 143:20 213:5,9 231:5 233:17 <b>baseline</b> 196:7 210:1 <b>basic</b> 110:6 247:20 <b>basically</b> 10:17 17:25 50:8 87:9 90:10 92:18 195:2 <b>basing</b> 223:20 <b>basis</b> 56:21 101:2 115:6 116:20 121:19 150:5 204:10 228:15 240:22 245:13 <b>bates</b> 135:9 <b>bats</b> 41:2 <b>batz</b> 3:18 4:14 26:11 40:9,20 84:24 107:3 147:13 149:8,9
---	--	--	--

[batz - cared]

Page 7

150:1 152:5 205:4 <b>becoming</b> 143:7 <b>bedi</b> 22:8 <b>beginning</b> 124:15 124:17 145:14 149:15 161:9 231:17 234:11 <b>begins</b> 5:10 188:5 212:9 <b>behalf</b> 118:8 219:7 <b>behavior</b> 186:20 187:25 188:16 <b>belief</b> 22:20 53:5 <b>believe</b> 7:6 17:5,8 17:13,23 23:6 28:18,18 31:15 33:14,17 36:23 38:21 40:15 43:6 48:14 50:5,20,20 51:18 53:1 54:1 56:9,23 57:19 61:20 76:17 80:25 83:5 97:6,19,19,21 101:8 110:7 112:20 116:1 122:1 124:16 126:19 129:18 133:1 139:12 147:3 152:25 153:13 156:13,18 159:8,14 160:11 164:23,23 166:5,5 166:8 169:11 180:12 182:7,11 183:4 185:15 190:16 192:10 197:7 210:18 215:24 229:19 237:10 242:12 243:18 244:11 247:11,18,22	248:14,17,19 250:4 251:5 <b>benefit</b> 99:17 <b>best</b> 8:2 9:2 37:16 54:25 69:19 73:3 81:14 121:1 131:12 143:9 145:20 151:20 152:10 164:3,7 171:14,18 173:1 185:9 195:15 211:11 252:10 <b>beti</b> 62:18 <b>better</b> 77:20 176:18 192:12 234:13 239:16 244:3 251:9 <b>bias</b> 53:1,6,16 220:2 <b>biased</b> 99:15 <b>big</b> 148:15 220:25 <b>bimonthly</b> 150:5 <b>bipolar</b> 250:2 <b>birth</b> 110:5 <b>bit</b> 141:17 170:25 <b>block</b> 19:2 214:8 <b>blocks</b> 214:5 <b>blurriness</b> 37:25 84:14 <b>book</b> 89:5,9 90:1 225:25 226:4 248:21,25 <b>booz</b> 12:20 13:22 14:1,13 130:6 <b>bottom</b> 19:2 38:7 98:22 142:11 184:24 185:11 229:23 <b>bought</b> 184:18 <b>bouts</b> 230:10,14 230:16	<b>brand</b> 136:19 <b>break</b> 8:11,14 89:19 93:25 101:19,21,23,24 102:8 170:24 177:21,24 178:5 251:23 252:1 <b>breath</b> 145:20 <b>brian</b> 248:17 <b>bridges</b> 148:14 <b>brief</b> 17:24 40:16 101:20 164:23 <b>briefly</b> 103:10 178:24 <b>bring</b> 7:10,17,22 139:22 <b>bringing</b> 77:5 155:16 238:25 <b>brings</b> 12:8 <b>britt</b> 3:23 22:8,17 23:3,19 40:1 111:17 112:14 141:9,12 143:13 143:24 145:18 160:8 162:8 211:12 <b>broader</b> 21:17,20 <b>broadly</b> 65:6 <b>brought</b> 55:2 125:22,23 126:1 158:14 <b>browser</b> 30:11 <b>buddy</b> 4732 155:5 <b>building</b> 17:9 <b>buildup</b> 46:5 <b>bulk</b> 113:24 114:3 177:8,10,12 <b>buzz</b> 220:3	<b>c</b> <b>c</b> 240:9,10 <b>caffeine</b> 210:13 211:10 <b>call</b> 44:1,5,24 45:25 46:11,23,25 47:4,6,14 96:21 117:22 119:14 128:22 245:17 247:7 <b>called</b> 47:25 56:11 115:4,17 117:18 126:20 183:23 <b>calling</b> 184:4 <b>calls</b> 34:20 50:13 68:3 73:22 75:14 79:16 80:6 83:15 114:15 187:7,11 213:7 223:5 244:1 245:19 <b>capacity</b> 16:1 44:15 103:24 162:19,20 <b>car</b> 38:4,7 184:22 184:24 185:8 <b>care</b> 14:4 25:25 39:25 74:20 106:16 118:16,24 119:10 123:12 125:3,16 131:18 146:5 148:13 149:5 152:9,11 162:20 174:24 193:16 194:8 195:14,20 198:24 199:14 211:9 227:8,21 228:1,6 231:5,13 242:14 244:25 245:10 <b>cared</b> 125:7 148:17,17
--	--	---	--

[career - clinical]

Page 8

<b>career</b> 139:24 222:12 <b>careers</b> 233:19 <b>carefully</b> 121:21 <b>carry</b> 84:19 <b>cars</b> 185:11 <b>case</b> 7:25 89:4,20 104:9 152:20 159:24 225:22 240:11 248:24 250:22 251:1 <b>cases</b> 248:13,15,17 248:21 <b>categories</b> 100:24 100:25 181:17 <b>category</b> 182:24 <b>caught</b> 200:16 <b>caused</b> 42:2 186:12 188:14 <b>causes</b> 186:19 187:6,25 188:16 <b>cbc</b> 1:11 255:23 <b>ccc</b> 4:9 181:24 182:22 <b>ccp</b> 1:11 255:23 <b>cell</b> 173:3,3 185:14 <b>cemented</b> 53:9 <b>center</b> 1:5 2:4 5:13 5:25 6:2,24 10:9 11:15 15:24 16:19 16:21 17:17 19:24 21:11 26:2,13 27:22 28:8,11,16 29:3 40:10 44:20 45:9 71:9 104:6 105:8,11,18 106:15 107:5 108:3 115:11 120:10 148:11 154:11 199:21 213:15 256:4	257:1 258:1 <b>certain</b> 9:5 51:13 57:15 75:12,18 76:10,12,18 78:12 79:5 132:14,16 181:2 192:2 198:22,25 220:3 248:24 <b>certainly</b> 8:11 203:12 237:11 <b>certificate</b> 255:1 <b>certification</b> 40:14 41:18,20 <b>certifications</b> 40:21,25 41:5 42:23 <b>certify</b> 255:3 <b>chair</b> 230:8 <b>change</b> 35:12 56:15 121:4 128:17 257:4,7,10 257:13,16,19 <b>changed</b> 55:1,23 56:23 57:5 248:2 <b>changes</b> 55:11,15 55:16,18,19 56:3 56:13 211:10 256:10 258:6 <b>channel</b> 219:6 <b>channels</b> 167:12 <b>characteristic</b> 238:25 <b>characterizing</b> 116:13 <b>charge</b> 3:10 18:23 25:13 34:5 65:2 215:17 <b>chart</b> 182:4 <b>charts</b> 69:9 <b>check</b> 48:11 82:18 101:17 137:7	144:14 226:11 <b>checking</b> 88:25 <b>chen</b> 107:24 <b>cherry</b> 218:25 220:1 <b>chief</b> 20:2 22:12 24:10,16,20 58:7 58:16 59:3 60:21 60:23 62:1 63:7 64:12 71:14 89:13 112:1 119:17 120:8,21 141:13 160:22 162:19 195:18 199:3,11 <b>chiefs</b> 21:5 22:2,5 24:14,22 58:11,18 58:22 59:10,15,20 60:3,7,14 61:12,17 61:22 62:2,9,12 65:3,20 111:16 112:2,9 139:3 142:7 158:12,17 158:20,24 166:25 167:10,15 168:3,6 168:6,12,17,21,21 <b>choice</b> 198:23 207:20 <b>choosing</b> 40:6 197:20 200:19 <b>chose</b> 165:16 <b>chronic</b> 15:1 21:8 43:24 45:10 239:14 241:22 242:2 <b>chronically</b> 46:5 <b>chronological</b> 111:24 <b>civil</b> 79:21 80:2,4 <b>claim</b> 32:6 104:17 238:1	<b>claims</b> 229:19 <b>clarification</b> 21:3 <b>clarify</b> 36:7 91:5 200:14,18 <b>clarity</b> 163:9 <b>clear</b> 11:17 142:20 163:9 178:16 198:5 202:8 205:23,25 206:20 206:20 217:21 234:3 241:22 246:3 <b>clearance</b> 4:13 201:23 206:22 <b>cleared</b> 3:17 146:16 188:10 197:19 200:4,19 207:21 <b>clearer</b> 96:7,9 197:4 <b>clearly</b> 9:8,12 53:1 53:6 226:15 <b>client</b> 9:9 10:21 12:3 147:17 152:1 238:8 <b>clinic</b> 111:17 112:14 143:14 160:8 162:11 198:1 199:16,21 207:17 208:2,7,8 <b>clinical</b> 13:2 48:13 49:13,16,18,22 53:22 57:20 89:5 89:14 97:14 133:24 179:21 181:25 196:15,18 196:20,23 211:23 215:17 222:1 223:8,13,17 225:22,25 227:5 230:9 232:7,12,18
--	--	---	--

[clinical - condensed]

Page 9

232:20 247:20 248:13,15,17,20 250:21 <b>clock</b> 180:20 <b>clocked</b> 180:22 <b>close</b> 107:12 109:6 109:7 110:16 <b>closely</b> 168:5 <b>closer</b> 83:23 <b>coaching</b> 8:20 <b>coincidence</b> 155:12 <b>collaborative</b> 60:9 <b>colleague</b> 103:15 103:18,19,21,25 104:14,24 107:9 123:21 127:2 128:3 <b>colleagues</b> 17:8 23:4 61:4 69:18 70:2,9,14,23 72:11 99:2 119:21 195:14,24 216:9 243:15 245:8,12 <b>collect</b> 221:2 <b>collection</b> 220:23 <b>collectively</b> 221:14 <b>colson</b> 106:19 <b>colston</b> 106:9,10 106:22 148:25 149:1,12,25 <b>combination</b> 13:25 <b>come</b> 18:7 48:20 121:3 219:1 <b>comes</b> 47:16 130:14 <b>comfort</b> 101:23 213:21 <b>comfortable</b> 45:12 69:23 96:13	<b>coming</b> 222:13 <b>commence</b> 179:18 <b>commencing</b> 1:10 <b>comment</b> 23:23 24:10 30:13 33:20 58:1 75:25 86:3 86:11 101:2 124:22 125:25 189:18 219:22 220:1 231:20 247:6,6,10 <b>commenting</b> 19:16 <b>comments</b> 98:21 219:1 231:16 <b>commission</b> 18:24 <b>committee</b> 97:15 133:20 134:6,13 134:16 162:10 179:22 182:1 195:19 211:23 212:11,24 213:10 213:11,12,14 222:25 223:9,13 223:17 230:9 232:7,12,18,21 <b>communicate</b> 14:20 <b>communicated</b> 50:22 <b>communicating</b> 12:3 155:10 <b>communication</b> 52:16 100:4 139:12 169:20 219:7 <b>communications</b> 10:21 11:5 31:19 51:25 169:12 170:2 172:11 196:6 223:8 236:16	<b>company</b> 13:15 14:13 15:3 <b>compartmentalize</b> 45:9 <b>compassionate</b> 131:18 219:23 <b>competencies</b> 132:2,6,9,12 181:16 <b>competency</b> 97:14 162:10 179:21 182:1 195:19 211:23 212:10,24 213:14 222:25 223:8,13,17 230:9 232:7,12,18,21 <b>competent</b> 131:17 <b>compilation</b> 182:17 <b>compiled</b> 182:22 <b>complaint</b> 3:11 36:24 54:13,22,24 55:6,12 57:8 92:5 103:9 160:22 <b>complaints</b> 195:9 <b>complete</b> 8:13 9:18 12:13 28:5 33:1,18 49:9,17 79:13 127:2 156:17 157:1 173:2 178:17 222:12 226:1 258:8 <b>completed</b> 32:24 33:22 49:1,8,18,21 89:6,9 90:23 127:6 226:7 231:6 243:21 244:8 256:17 <b>completely</b> 81:1 217:5	<b>completing</b> 50:12 159:2 <b>completion</b> 232:3 <b>component</b> 48:18 87:14 88:9,24 89:23 188:8 <b>components</b> 48:9 88:22 <b>composed</b> 50:24 <b>compound</b> 47:7 52:8 80:7 114:7 188:2 <b>computer</b> 21:19 69:14,15 255:11 <b>concern</b> 85:24 86:1,6 125:23 165:6 167:3 169:5 194:6,19 207:9 220:18 221:1,21 227:24 231:12,20 247:9 <b>concerned</b> 65:4 194:13 199:10 240:20 <b>concerns</b> 98:14 120:11 139:2 159:1 168:8 169:9 193:22 212:10,23 213:2,5,9 218:18 222:23,24,25 223:1,12 <b>conclude</b> 9:5 76:13 93:6,10 179:9 218:12 254:2 <b>concludes</b> 139:1 <b>conclusion</b> 186:16 188:6 214:8 238:16 <b>condensed</b> 5:8
--	---	--	---



## [condition - conversations]

Page 10

<b>condition</b> 9:23 38:23 70:22 118:23 119:10 209:16 227:17	11:10,24 12:6,7 18:19 27:20 28:25 29:5,23 30:20 31:8,13 35:17 36:6 54:15 55:14 55:21 56:2 62:6 62:16 63:22 64:21 65:7,9 66:2,19,23 67:15,18,20 68:4 75:16 76:16 79:9 79:18 80:9,15 81:2,6 94:19 101:16,25 102:12 102:14,17 103:23 108:15 112:7 116:12,18 117:5 121:11 122:15,18 127:14 130:23 134:9,10 142:23 156:15,21 157:5 157:13,14 163:2 163:12 166:9,13 174:8,9 176:2,3 177:23 178:24 179:14,15 187:2,9 187:16,20,22 188:3 192:3 193:24 198:16,17 203:3,7,9 204:1,9 204:17 209:7 220:10,21 223:3 223:10 232:16 235:10,17 237:5 237:25 238:7,9 245:24 246:5,8 251:10,17 252:17 252:20 253:1,5,8 253:12 254:12	<b>consensus</b> 101:24 <b>consent</b> 6:12 <b>consequence</b> 123:1 124:11 <b>consequences</b> 69:3 222:3 <b>consider</b> 79:22 <b>considerations</b> 203:22 205:19 <b>considered</b> 74:18 180:24 <b>consist</b> 96:9 <b>consistency</b> 74:12 <b>consistent</b> 79:20 97:24 174:23 <b>consistently</b> 177:7 <b>consists</b> 102:19 <b>constructive</b> 98:22 219:1 231:19 <b>consult</b> 153:15 242:10,16 248:5 <b>consulted</b> 242:12 <b>consulting</b> 8:20 242:19 <b>consults</b> 246:24 248:16 <b>contact</b> 26:23 28:19,22 30:9,18 31:1 33:16 97:1,6 186:6 187:17 191:9 227:19 242:21 243:15 244:13,23 245:8 <b>contacted</b> 30:24 45:2 71:9 243:11 <b>contacting</b> 29:12 <b>contacts</b> 243:8,25 244:6 245:7 <b>contained</b> 14:24 19:11 33:3 54:24 57:10 72:3 103:4	103:9 153:11 157:8 205:20 215:3 230:21 234:19 <b>content</b> 186:10 <b>context</b> 219:11,13 219:19 220:11 221:18 222:8 <b>contingent</b> 113:8 <b>continue</b> 82:2 99:17 113:14 126:21 152:9 161:24 178:16 179:8 193:16 194:7,7 211:9 214:16,22 224:13 224:23 251:12 253:10,11,15 <b>continued</b> 2:1 22:23 46:15 113:13 167:20 179:12 <b>continues</b> 204:12 <b>continuing</b> 179:1 193:10 <b>continuum</b> 46:14 <b>contract</b> 196:10 245:18 <b>contradicts</b> 221:10 <b>control</b> 61:14 222:12 <b>convenience</b> 156:24 <b>conversation</b> 15:9 22:24 31:23 59:18 61:1 62:11,13 92:9 164:22 184:10 194:11 <b>conversations</b> 14:22 32:2 39:8 216:9 238:15
--	---	---	--

[convey - december]

Page 11

<b>convey</b> 74:5 <b>conveyed</b> 136:17 136:17 <b>cope</b> 91:15 <b>copies</b> 18:13 191:24 256:14 <b>coping</b> 88:7 <b>copy</b> 7:5 135:12 152:23 156:8 157:9 160:9 <b>core</b> 132:1,5,9,11 181:16 <b>corner</b> 136:6 <b>corporate</b> 2:4 <b>correct</b> 11:19 15:20 19:8,13 35:9,20 44:16 49:25 51:7 54:24 62:20 76:19 85:10 91:11 110:10 112:3,17 116:4 119:6 126:21 130:13 132:3 133:1 139:22 141:18 142:2 148:8 151:16,19 158:18 160:16 163:2 172:22 174:1 180:9 181:6 183:2,6,9,23 188:18 212:2 214:5,24 220:10 252:16 255:12 258:8 <b>corrected</b> 140:12 140:14,15 <b>correction</b> 140:9 140:13 <b>corrections</b> 258:6 <b>correctly</b> 164:9 255:8	<b>counsel</b> 5:2,20 6:12 8:24 9:7 10:13,19,19 11:5,6 65:1 79:18 95:20 99:23 101:18 108:16 122:13 127:12 142:20 156:19 163:1 174:6 178:9 203:6 204:12 209:5 220:8 238:6 253:24,25 254:6 254:11 255:13 256:14 <b>counsel's</b> 147:15 <b>counseling</b> 109:15 138:16,24 <b>counting</b> 99:3 <b>country</b> 13:3 <b>couple</b> 48:9,13,22 94:22 163:9 182:12 250:5 251:8 <b>course</b> 8:3 214:9 240:16 241:15 253:19 <b>court</b> 1:1 5:17 6:3 12:9 55:25 101:18 204:19 253:14 <b>courteous</b> 236:13 <b>cover</b> 9:10 <b>covered</b> 17:4 208:9 215:2 <b>create</b> 234:25 235:25 <b>created</b> 10:7 11:4 11:20 237:11 <b>creating</b> 242:11 <b>criminal</b> 57:23,24 <b>cristina</b> 103:12 104:19	<b>critical</b> 98:24 99:1 101:3,5 218:24 219:6 <b>critically</b> 221:1 <b>critiqued</b> 87:2 <b>err</b> 1:11 255:23 <b>cs</b> 256:15 <b>culture</b> 222:1 <b>cumulative</b> 251:22 <b>curb</b> 38:8 185:12 <b>cure</b> 80:21 <b>current</b> 14:2 130:12 151:15 194:8 230:16 232:8 <b>currently</b> 12:16 13:13 14:3 15:10 47:23 148:6,18 177:23 <b>custody</b> 3:8 4:2 <b>customary</b> 68:14 170:20 226:23 231:17 <b>cut</b> 234:3 <b>cv</b> 1:2 <b>cymbalta</b> 150:17 186:3  <b>d</b>  <b>d</b> 44:9 193:4 <b>d.c.</b> 16:8 <b>data</b> 16:9 214:9,15 220:13,23 221:3,8 233:17 <b>date</b> 7:12 19:4 25:5 56:9 71:25 101:6,12 110:5 127:21 146:18,23 146:24 150:6 181:20 212:11,25 218:17 223:14 230:7 231:6,10	257:24 258:12 <b>dated</b> 51:2 139:13 142:11 163:20 183:12 212:1 <b>dates</b> 55:3 111:15 124:22 149:20 176:25 229:6 254:4 <b>day</b> 9:1,4,6 37:21 38:9 45:20,22 49:14 56:12 58:2 74:8,10 98:18 110:19,20 111:16 125:24 127:15,23 137:11 147:4 178:20 179:7 180:15 181:3 184:2 187:13 192:12 194:19 195:2 196:4,11 197:7,11 217:25 245:13,13 246:16 253:15 258:15 <b>day's</b> 178:16 <b>days</b> 91:6 110:16 111:15 119:7 141:21,22 236:7 256:17 <b>de</b> 242:7 <b>deadline</b> 129:9,13 129:23 <b>deals</b> 212:23 <b>dean</b> 105:14,21 109:20 <b>december</b> 1:9 5:14 39:2,22 41:1 48:8 53:10 84:3,24 85:13,17 90:15 99:4 112:21 175:3 175:6,7 177:16 181:19,21 182:4
--	--	---	---



[december - difficulties]

Page 12

183:12,22 189:4 190:1,15,24,24 191:7,10,11,19 192:17 193:10 196:10 202:7 203:15,23 205:7 206:11,23 208:14 208:20 211:20 212:1 213:17 215:19 216:16 225:4 228:12 231:2,10,24 232:15,17 233:4 235:23 236:6 254:4 256:3 <b>decide</b> 9:5 <b>decided</b> 73:4,8,24 73:25 164:13 254:3 <b>decision</b> 126:10 214:14 <b>decisions</b> 65:3 233:17 <b>declare</b> 19:7 258:4 <b>deemed</b> 22:11,16 22:21 132:24 258:6 <b>deep</b> 145:20 <b>defeats</b> 219:5 <b>defendant</b> 1:6 2:6 <b>defendant's</b> 3:12 102:21 <b>defense</b> 253:25 254:6 <b>defer</b> 189:8 <b>deficiencies</b> 86:6 98:24 99:1 101:3 218:24 231:21 <b>deficiency</b> 101:5 <b>deficient</b> 221:2	<b>definitely</b> 156:14 157:11 240:7 <b>definitively</b> 26:13 52:14 125:9 143:23 185:25 192:24 <b>degree</b> 16:9,12,14 <b>delivered</b> 35:6,22 238:14 <b>demonstrate</b> 76:8 132:19 <b>demonstrated</b> 98:24 <b>denied</b> 113:12 <b>dent</b> 38:4 184:22 185:3 <b>department</b> 13:14 14:15,16 15:11 27:5,12 <b>depended</b> 71:1 83:25 <b>dependency</b> 189:18,19 <b>dependent</b> 189:11 189:14 <b>depending</b> 132:21 181:3 <b>depends</b> 234:5 <b>deponent</b> 255:5,8 256:13 258:3 <b>depose</b> 204:11 <b>deposed</b> 7:14 10:2 208:10 <b>deposing</b> 256:13 <b>deposition</b> 1:8 5:11,15 6:6,8,9 7:2,2,4 8:3,10,17 9:1,6,19 10:4,23 11:2,8 18:14 52:23 79:24 80:10 80:10,16 97:23	163:6 178:13,18 179:1,2,10,12 220:16 221:13 254:2,3,14,16,20 254:22 255:11 <b>depositions</b> 65:21 178:22 <b>depressed</b> 45:7 <b>depression</b> 15:2 21:8 43:24 46:2 90:21 91:15 96:16 136:18 <b>depressive</b> 161:4 161:20 <b>deprived</b> 45:11 <b>deregulated</b> 92:17 <b>describe</b> 43:21 44:18 48:4 62:12 156:23 <b>described</b> 15:23 69:18 84:7 91:2 128:9 234:18 238:13 <b>describing</b> 48:5 92:8 93:4 220:4 <b>description</b> 3:9 4:3 147:17,19,24 147:25 148:2 164:15,15,16 <b>design</b> 154:13 <b>designated</b> 65:18 69:15 158:23 180:23 <b>designation</b> 183:14 <b>despite</b> 128:19 <b>detail</b> 38:10 52:21 126:17 192:13 <b>detailing</b> 134:17 <b>details</b> 29:13,14 50:22 124:5 126:3	196:11 226:13 227:18 228:18,19 228:21 244:23 <b>deteriorating</b> 39:10 <b>determination</b> 179:10 <b>determine</b> 9:2 <b>determined</b> 214:10 <b>developing</b> 227:11 <b>development</b> 233:19 234:24 235:7,14 <b>dewater</b> 225:14 <b>dewaters</b> 48:16 88:17 89:21 226:25 248:7 <b>diagnosis</b> 251:6 <b>dialogue</b> 22:25 <b>diazepam</b> 186:3 <b>diet</b> 152:13 <b>difference</b> 171:14 <b>different</b> 33:1 47:2 62:14 65:7 66:19 76:22 94:23 95:9 95:15,16 132:20 140:5 159:2 167:13 181:17 207:7 212:22 217:4 223:18 225:2 234:4,6 241:24,24,25 <b>differential</b> 251:6 <b>differentiate</b> 209:13 <b>differently</b> 66:11 <b>difficult</b> 83:19 <b>difficulties</b> 52:3,7 52:11 155:16
--	---	---	---

[direct - doctor]

Page 13

<b>direct</b> 14:9 18:16 19:17 30:5 33:2 35:11 54:12 56:16 57:7 58:3 90:17 102:15 130:2,20 134:23 136:3 146:11 147:10 152:17 158:23 159:5 160:5 167:25 172:7 173:6 179:25 181:8 183:11 193:25 204:22 206:18 207:2 211:15 221:4 222:1,11 223:7 235:18 245:24 249:2 <b>directed</b> 17:25 <b>directing</b> 108:5 109:21 124:24 129:5 131:3,16,24 135:7 150:8 151:22 154:1 162:23 163:13 170:12 182:13 192:6 194:4 196:24 <b>direction</b> 54:7 <b>directions</b> 32:21 197:4,16 201:10 <b>directly</b> 27:11 106:8 158:10 <b>director</b> 56:19,25 57:4,6 75:5 77:20 78:24 79:3 118:7 158:24 169:2 229:1 <b>director's</b> 134:2 <b>directors</b> 109:8	<b>disabilities</b> 15:4 108:21 109:2,13 238:4 <b>disability</b> 25:7 32:9 39:17,18 46:21 53:2,7,16,21 73:4 87:12,15,18 88:6 90:7 97:18 97:20 104:6 105:10,17,24 113:20 114:1,4 115:10 118:9,13 121:16 130:5,11 151:10 176:21 215:13,15 218:4 237:14,22 238:11 239:19 240:19 249:18 <b>disabled</b> 123:16 <b>disagree</b> 10:25 11:1 190:21 224:19 237:8,9 <b>disappear</b> 68:21 <b>disappearing</b> 51:19 68:23 <b>disclose</b> 71:3 115:12 118:20 195:20 <b>disclosed</b> 9:11 11:6 21:7 25:7 107:2,7 115:25 116:8 117:10 119:9 121:16 <b>disclosing</b> 57:23 69:23 70:22 118:12 <b>disclosure</b> 104:6 <b>disclosures</b> 115:23 116:3 <b>discontinue</b> 188:10	<b>discontinued</b> 186:11 210:1 <b>discovered</b> 55:19 <b>discovery</b> 7:12 9:20 11:8,22 55:2 55:16,19 91:6 97:16 108:13 152:20 156:18 157:2 181:11 183:17 190:13 229:25 <b>discretion</b> 134:3,4 <b>discrimination</b> 18:23 <b>discuss</b> 53:10 75:7 82:10 92:11,16,22 93:21 94:4,15 95:2,24 115:4,9 117:19 118:24 119:1 175:19,23 176:14,15,23 178:18 189:25 190:5 196:3,11 215:13 249:18 250:17 <b>discussed</b> 11:15 28:12 38:23 39:14 41:13 53:20 60:2 60:8,11 62:21 72:8 73:2 83:6,7 89:8 90:1 94:10 107:11 108:3 120:19 143:25 144:7,11 159:9 173:13 174:3,19 174:22 176:16 177:14 190:6 236:24 <b>discusses</b> 118:25 <b>discussing</b> 41:21 87:14,17 92:13,13	114:3 202:19,20 210:5 222:15 <b>discussion</b> 21:11 23:10 24:13 47:10 60:10,25 63:6 71:18 73:1,15 75:6,8 88:6 92:20 93:20 113:24 119:4 120:17 136:15 153:17 164:2,8,11,24 175:1 178:4 240:8 250:19,20 253:21 <b>discussions</b> 39:5 41:24 240:23 242:18,18 <b>disease</b> 239:14,15 241:23 242:3 250:2 <b>disguised</b> 225:1 <b>dismissed</b> 47:21 <b>disorder</b> 161:4,21 <b>dispute</b> 230:20 <b>disregulated</b> 45:12 <b>disregulation</b> 43:25 45:10 <b>disruptive</b> 79:22 116:14,15 <b>dissipated</b> 195:2 <b>distinct</b> 217:15 <b>distinction</b> 67:5 241:22 <b>distracting</b> 24:5 <b>district</b> 1:1,1 <b>dividers</b> 185:12 <b>doctor</b> 34:6,11,13 36:11 37:4,7 88:13 197:19,20 198:23 200:19 201:15
--	---	---	---

[doctors - dr]

Page 14

<b>doctors</b> 198:22	7:25 8:24 9:11,16	54:4 56:3,11,19,20	138:6,8 139:6,14
<b>document</b> 4:11,12	10:8,15 17:11	56:22 57:2 59:25	140:1,17,19
4:17 11:18 17:22	20:11,12,16,18	62:18,18,18 63:2	141:20 142:3,13
18:20 19:5,12,12	24:12 59:14,19,23	66:9,15,24 68:5	143:16,21 144:14
19:16 20:12,23	147:15 153:6,22	70:13 71:18,23	144:14 152:5,18
43:22 46:24 54:2	179:5 183:17	72:24,25 73:24,25	153:21 154:8
54:16,20 57:23,25	195:4,6 216:19,20	76:7,19 77:4,18,25	156:25 157:6,21
75:23 102:20,23	216:24 217:4,17	81:7,10,16,17,19	158:1,8,15,23
103:4 105:10	218:9,16 230:2	82:10,16 85:3,13	159:7,10 160:8,16
130:24 135:1,13	231:2 237:1	86:13 87:23 88:10	162:13,17 163:3
135:18,20,22	254:13	88:17,24 89:6,20	163:18,19 164:2,4
146:12 147:11	<b>doing</b> 13:16	89:25 90:3 91:9	164:6,17,22 165:2
154:21 155:24	137:13 177:8	91:11,17 92:2,22	165:10,14,20
157:1 158:7	192:10 201:13	93:6,22 94:3,4,24	166:21,23 167:2,6
161:16 163:14,23	234:11 249:16	95:2,6,22 96:10,11	167:7,23,25 169:2
163:25 173:7	252:10,13	96:12,12,12,21,21	169:3,10,16,17,18
180:1 181:9,14,15	<b>door</b> 226:5	96:25 97:2,4,5,18	169:18 170:2,3,10
183:16 189:23	<b>double</b> 37:24	99:21 100:3,11,19	170:14,15 171:1
190:10,22 191:23	84:13 193:10	101:1,7,13,18	172:10,13,25
197:2,6,10 201:20	<b>download</b> 5:7	102:19 103:11,12	173:11 174:4,10
201:25 202:2	153:1	103:14 104:13,23	174:20 175:2,18
203:1,17 207:7,10	<b>dr</b> 3:16 4:14 5:23	105:5,6,9,13,16,20	175:23 176:4,5,8
210:19 211:16	6:1,22 7:15 9:22	105:23 106:2,8	177:14 179:16
212:4,7,15,17,18	10:3,10 11:11	107:8,13,14,19,20	183:13,13,21
212:20,23 213:10	12:9,16 18:13	107:21,24 109:19	184:4,6 185:16
213:19 214:24	20:2,4,6,9,15,17	109:23 110:8,9,17	186:13,14,15,21
215:3 216:14,15	21:16 22:7,7,8,17	110:18,24 111:18	188:4,5,21,24,25
216:17 217:6,7	22:17 23:3,19,20	111:20 112:11,13	189:3,9,10,15
224:1,4 229:12,23	23:25 24:24 25:23	112:14,15 113:25	190:1,6,7,14 191:6
229:25 230:21,22	33:2,18 34:12,17	115:3,7,9,12,14,17	191:9,22 192:7
235:19 244:16	34:18,19,22,23,25	115:25 116:1,2,8	193:2,5,8,15 194:5
245:3 246:10,12	35:1,7,8,9,13,19	116:22 117:1,4,17	194:21 195:7,8,12
<b>documentation</b>	35:20,21,22 36:1,8	117:19,21,24	196:1,9 197:8
14:17 77:6 78:25	36:18,20,25 37:9	118:2,4,20,21,22	199:3,6,10 201:2
164:25 165:2	38:16,20 39:3,9,15	118:22 119:9,12	202:1,9 203:12,19
191:15 235:9	39:24 40:1,3,20	119:13 122:10,19	203:21 204:13
<b>documented</b>	41:13,22,23 42:16	123:20,20 124:7	205:7,8,10,13,18
105:10,17,24	43:5,14 44:6 45:2	125:4,13,22	205:23 206:4,15
227:15 244:20	45:18 47:11,12,25	126:11,14,20	207:4,21,23,24
<b>documents</b> 7:10	48:8,10,16 51:6,10	128:8,9 129:8	208:1,10 209:10
7:17,18,20,21,23	51:10 53:1,6,23	136:9,17,22 137:3	211:21,24 212:4

[dr - episode]

Page 15

212:12 213:17 215:5 216:6,17 217:9 218:18 221:16,23 222:6 222:24 223:7,14 223:22 225:14 226:4,6,8,25 227:4 228:17,20,25 229:5 230:3,8,25 235:23 236:3,9 238:15 241:7 242:10,13,16 243:21 244:4,5 245:11,17 248:7 248:10,14,15,21 249:9,12,14 250:24 <b>drafted</b> 164:7 <b>drew</b> 238:16 <b>drinker</b> 185:24 <b>drive</b> 197:25 198:4 198:7,10,20 199:20,21,24 200:2,8,11,11 201:1 207:16 208:3,3,7,7 <b>driving</b> 38:3 184:14,20 <b>dropped</b> 101:13 <b>drove</b> 37:22 186:5 <b>drug</b> 57:24 <b>duca</b> 105:5,6,9 <b>due</b> 96:18 209:21 <b>duly</b> 6:16 255:6 <b>duplicated</b> 140:4 <b>duplication</b> 246:4 <b>duplicative</b> 139:21 <b>duties</b> 12:23 13:19 49:5,7,14,18,22 57:20 84:19 85:19 131:10 134:2	196:16,23 <b>duty</b> 40:17 42:17 43:9 74:7 84:20 84:25 85:4,4 118:6 133:17,24 169:1 180:4,16,24 186:18 187:5,24 188:18,21 189:1,2 189:4 194:23 196:4,18,21 202:10,11,14,15 202:22 203:13,13 206:4,7,10,11,14 207:14,25 208:2 209:14 246:15 <b>e</b> <b>e</b> 44:9 257:3,3,3 <b>earlier</b> 141:1,4,6,7 142:15 178:20 <b>early</b> 37:19 127:5 179:4 <b>easier</b> 81:25 173:18 174:13,21 175:16 176:10 177:15 211:6 <b>east</b> 1:16 <b>easy</b> 119:18 <b>eat</b> 146:1 <b>eddison</b> 153:15 <b>education</b> 25:10 109:1 <b>eeoc</b> 3:10 25:13 34:4 108:8 <b>effect</b> 37:12,15,17 38:1 42:1 186:12 188:15 209:22 <b>effectively</b> 131:18 <b>effects</b> 84:4 185:1 190:23 <b>either</b> 23:19 98:13 100:20 140:22	150:4 184:16 <b>elective</b> 177:9 <b>email</b> 3:16,21 14:23,25 15:19 24:19 29:18,25 31:19,22 32:4 59:24 72:1,2,4 82:14,15,18,24 136:8 138:2,4,6,7 139:17 140:16 141:14,25 142:11 142:13,22 143:20 144:2 154:2,5,9,12 154:16,18,21,23 154:24 155:13 156:16,24 157:6,8 159:9,13,16,24 168:7 169:3,6,12 170:12,19 171:3 171:25 172:3,4,9 173:20,22 175:13 176:12 177:11 186:15 195:3 200:15 226:8 229:8 235:22 236:2,16,22 <b>email158</b> 3:22 <b>email170</b> 4:5 <b>email235</b> 4:19 <b>emailed</b> 26:1,24 82:10 135:19 228:17 <b>emails</b> 24:12,22 59:19 236:15 <b>emergency</b> 39:15 47:17 54:3,6,9 97:1,3 112:22,22 185:17 215:12 227:15,18 235:24 236:23 239:2,3,11 239:22,23 240:8	241:5,6,17,20,21 242:21 243:8,11 243:14,17,25 244:6,13,18,21 245:7,18 <b>emotional</b> 25:12 <b>employed</b> 12:17 <b>employee</b> 15:25 154:12,13 197:15 <b>employment</b> 13:4 15:22 18:24 105:7 106:14 107:5 122:5 124:16,17 <b>empty</b> 67:7 <b>encourage</b> 138:20 <b>ended</b> 15:9 249:17 <b>ends</b> 129:17 254:20 <b>engage</b> 16:5 22:24 70:24 75:6 130:16 216:8 <b>engagement</b> 236:14 <b>engaging</b> 41:24 79:19 <b>ensure</b> 69:3 234:12 <b>ensured</b> 222:21 <b>enter</b> 251:10 <b>entered</b> 219:21 <b>entire</b> 88:4 99:24 215:9 219:19 238:15 <b>entitled</b> 17:23 <b>entity</b> 36:25 37:1 <b>environment</b> 133:21 136:20 145:21 250:14 <b>episode</b> 38:19 184:1 191:12 201:24 209:18
---	--	--	---

210:6 211:20 212:15,15 215:8 230:18 <b>episodes</b> 115:11 <b>equal</b> 18:24 <b>equally</b> 194:13 <b>erik</b> 123:20 <b>errata</b> 256:11,13 256:17 <b>erratas</b> 256:15 <b>erratic</b> 74:6 174:23 186:20 187:25 188:16 194:13,14 <b>error</b> 125:14 140:9,15 <b>especially</b> 25:9 69:21 178:21 <b>esq</b> 1:15 2:3 <b>esquire</b> 256:1 <b>essentially</b> 50:3 77:17 82:19 88:6 <b>establish</b> 58:23 218:9 220:12 <b>established</b> 69:22 <b>establishing</b> 120:21 144:9 <b>ethics</b> 131:14 <b>eval</b> 101:7 <b>evaluate</b> 87:1 182:1 186:18 187:23,24 <b>evaluated</b> 13:8 85:18 132:11 187:4 188:18 200:25 232:25 233:1 <b>evaluating</b> 87:9 <b>evaluation</b> 3:20 13:12 89:13 98:18 100:14,18,22	101:7 129:8,16 152:19 153:14,16 159:8 182:18 186:19 187:5 194:24 195:16 198:3,5,9,19 199:23 200:10 201:12,13,15 215:20,25 219:20 219:23 221:12 231:5 247:6,23 <b>evaluations</b> 85:22 85:25 86:2 87:10 101:10 153:7,12 153:23 163:4,5 182:19 212:11,25 216:10 218:17 220:6,9,12 221:14 223:13 <b>evaluator</b> 182:8 219:3 <b>evaluators</b> 182:20 221:9 <b>evening</b> 9:18 115:2 117:17 118:21 184:16 <b>event</b> 25:12 39:1 53:8,10 54:10,10 84:21 110:21 125:25 126:4,18 184:3 190:24 196:21 209:15,17 217:18 218:4 222:14 <b>events</b> 10:18 11:14 104:5 107:10 115:24 124:10,20 190:1 194:13,14 194:18 196:3 217:15 238:18	<b>everybody</b> 234:7 <b>everyone's</b> 243:3 <b>evidence</b> 218:16 <b>exacerbation</b> 118:13 227:19 239:12 240:12 241:23 242:2 244:24 245:9,16 <b>exacerbations</b> 239:19,24 <b>exact</b> 30:11,22 62:23 64:21 82:25 83:4 124:5,22 149:20 <b>exactly</b> 42:19 84:15 104:18 129:2 168:10 197:3 200:3,17 202:11 206:7 <b>exam</b> 37:21,22,23 38:11 184:7 186:4 186:7 193:7 220:25 <b>examination</b> 6:20 <b>examinations</b> 109:6 <b>examined</b> 6:17 <b>example</b> 21:21 143:25 220:20 <b>examples</b> 119:17 <b>exams</b> 221:7 <b>exceed</b> 181:2 <b>exceeds</b> 13:13 <b>excel</b> 176:22 <b>excelled</b> 219:24 <b>exchange</b> 3:21 10:12 15:15 138:7 154:2,5,19 156:17 159:10 178:9,9 183:17 190:13 191:16,17 195:3	<b>exchanged</b> 191:20 <b>exchanges</b> 10:14 159:24 172:25 <b>excuse</b> 5:12 59:12 102:25 154:14 203:7 223:3 249:24 <b>excused</b> 74:14,17 124:9,19 <b>exercise</b> 152:13 <b>exhibit</b> 3:9,10,11 3:12,14,15,16,17 3:18,19,20,21,22 3:23 4:4,5,6,7,8,9 4:10,10,11,12,13 4:14,15,16,17,18 4:19,20,21 7:9 18:17,18 19:18 20:22 44:11 54:13 54:14 101:17 102:13,16,19 130:21,22 134:24 134:25 136:2,4 146:10,12 147:8 147:10 151:21,23 152:16,18 153:25 154:1,24 159:4,6 160:4,6,6 162:22 162:23 163:1,13 170:11,13,17 172:6,8,8 173:5,6 176:5 179:24,25 181:4,5,9 182:14 182:22 183:10,12 183:12 189:22,24 190:8,9 196:25 197:1,24 201:18 201:19 204:23,24 204:25 206:19,19 207:1,3,3,5,6 209:1,8,9 211:14
--	---	--	--

[exhibit - fine]

Page 17

211:16 216:12,13 220:20,24 229:10 229:11 232:19 235:16,19 237:20 238:10 245:23,25 246:9 249:1,3 <b>exhibits</b> 3:7,8 4:1 4:2,3 5:6 18:14 20:19 159:7 163:10 178:17 208:5 <b>exist</b> 167:19 254:16 <b>existed</b> 25:10 <b>existing</b> 24:13 <b>expand</b> 231:18 <b>expect</b> 120:6 171:10 221:1 <b>expectations</b> 13:13 17:6,24 21:14 23:9 72:12 164:24 <b>expected</b> 131:17 131:21 228:14 <b>experience</b> 216:5 <b>experienced</b> 84:4 212:16 <b>experiencing</b> 43:23 96:15 145:10 183:25 190:25 <b>expert</b> 13:1 <b>expired</b> 149:6 <b>explain</b> 38:5 139:16 181:13 189:9 219:13 <b>explained</b> 47:12 63:16,20 238:3 <b>explanation</b> 62:11 223:23	<b>explicitly</b> 59:5 238:13 <b>expressed</b> 169:5 <b>expressing</b> 72:6 <b>expression</b> 93:7 <b>expressly</b> 155:15 <b>extended</b> 50:7,7 171:7 <b>extent</b> 108:17 254:15 <b>external</b> 20:20 44:12 <b>extra</b> 9:9,10 86:21 109:5 230:1 234:14	<b>fall</b> 144:23 <b>false</b> 98:17 128:9 <b>familiar</b> 18:20 54:16,20 102:22 130:24 132:8 135:1 146:12 147:11 152:21 154:2 163:14 173:7 180:1 181:9 190:10 197:2 201:20 204:25 207:3,4,9 211:16 216:14 229:12 233:8 235:19 246:9 <b>family</b> 97:7 124:2 <b>fax</b> 33:20 165:21 <b>february</b> 43:11,18 44:24 45:21 49:19 50:4,9 56:10,10 87:22 90:16,19 91:20 92:3 93:20 94:3 95:1 96:10 115:1,2,24 117:6 117:13,17,22 118:5,21 119:5 125:1 127:13,18 127:21,25 133:11 172:17,22 177:19 214:8 233:5 240:24 <b>federal</b> 3:11 54:13 54:22 <b>feedback</b> 43:14 85:14 89:16,19,24 89:25 90:4,9,13 98:23 129:15 144:11 153:14,19 219:1,3,22 225:17 231:20 242:13 247:5,8 248:7	251:3 <b>feedbacks</b> 86:10 <b>feel</b> 45:17 68:8 94:22 96:13 122:24 222:16 <b>feeling</b> 45:7 141:16 192:8,11 <b>fellowship</b> 16:2,3 16:6 <b>felt</b> 14:1 15:11 45:12 69:22 87:7 88:5 193:15 215:7 223:24 224:7,8 <b>fidget</b> 21:1 <b>fifth</b> 93:17 <b>fighting</b> 222:20 <b>figure</b> 62:7 <b>file</b> 5:7,7 157:1 <b>filed</b> 6:25 11:4 18:25 55:8 <b>files</b> 165:21 <b>filing</b> 55:11 <b>fill</b> 20:14 146:15 <b>filled</b> 30:8 82:6 109:24 110:2,3 149:4 <b>filling</b> 25:15 <b>final</b> 33:19 <b>finalized</b> 103:5 <b>financial</b> 123:25 <b>find</b> 28:22 30:8 32:15 59:4 63:2 64:17,23 65:10,16 65:23 66:16 67:1 67:12,22 68:1,13 68:18 75:8 121:12 122:20 192:2 228:17 <b>finding</b> 26:23 <b>fine</b> 47:14 101:23 102:3 141:17
	<b>f</b>		
	<b>face</b> 222:2 <b>fact</b> 45:19 53:17 75:25 86:7 175:22 179:6 183:25 184:25 188:13 209:2,13 215:15 217:15 221:5,9 229:20 <b>factors</b> 132:23 <b>facts</b> 103:9 104:2 104:17 187:14 218:7,8 <b>factual</b> 54:23 55:7 103:3 <b>faculty</b> 3:20 152:19 153:23 159:8 163:4 <b>failed</b> 38:13 <b>failing</b> 233:23 234:8 <b>fails</b> 256:19 <b>failure</b> 222:21 <b>fair</b> 221:22 <b>faith</b> 120:2,14		



[fine - friend]

Page 18

177:25 236:13 254:17,18 <b>finished</b> 172:15 <b>first</b> 3:12 17:23 18:1 19:2 20:12 25:6 34:6,14 50:19 51:5 53:8 53:13 67:25 75:13 75:19 96:5 101:4 102:21 111:25 123:17 136:8 142:10 144:17 147:22 151:25 156:14 160:18,21 172:12 190:12,20 191:4,18 217:3 219:21 223:11 236:1 237:25 252:1 <b>fit</b> 40:17 42:16 85:4 201:14 202:10,14 203:13 205:23,25 206:8 206:10,23 207:13 220:2 <b>fitness</b> 43:9 186:18 187:5,23 188:18 188:20,25 189:2,3 194:23 195:6 196:4 206:20 207:24 208:2 209:14 <b>fits</b> 220:1 <b>five</b> 33:14 86:5 98:12 182:9,11,14 182:23,25 183:5 218:23 231:22 253:5,7 <b>fives</b> 182:10 <b>flag</b> 53:14,14	<b>flatiron</b> 16:7 <b>flexibility</b> 76:8 77:3 78:16 123:17 123:23 <b>flies</b> 238:23 <b>floor</b> 247:14 <b>floors</b> 44:21 76:23 <b>florida</b> 104:25 <b>fluctuated</b> 46:15 <b>flush</b> 145:10 <b>flushed</b> 226:14 <b>focus</b> 16:18 93:14 <b>focused</b> 87:12 <b>focusing</b> 175:9 <b>follow</b> 6:17 10:15 24:18 38:21,25 54:2 70:17 72:1,2 72:4 80:1 88:14 115:15 134:19 136:5 138:4 144:2 153:13 157:16 158:3 162:2 172:4 188:9,20 195:3 196:6 197:5 211:23 215:11 240:23,24 249:8 254:7 <b>followed</b> 29:24 42:17 54:7,10 64:13 89:1,24 201:9 <b>following</b> 40:25 41:16 56:20 57:1 59:20,24 80:3 84:24 90:15 140:20 144:13 170:21 182:3 195:2 196:11 197:15 201:7 208:18 211:12 225:4 229:6	<b>follows</b> 137:4 <b>forced</b> 112:25 113:6 207:17,18 <b>foregoing</b> 258:5 <b>forgot</b> 251:8 <b>form</b> 3:14,15,17 3:20 5:3 20:13 25:24 26:1,7,14,17 26:20,21 27:2,4,13 27:23 28:1,5,19 29:2,10,13,19 30:7 30:8,10,23,25 31:1 31:2,3,4 32:6,9,11 32:13,13,16,22,23 33:1,4,6,11,12,13 33:21 34:3,24,25 53:5,17,18,24 54:2 70:21,21 76:5 79:25 80:11,19 81:3,23 82:3,6 109:24 110:9,18 111:5 113:13,17 114:5,21 115:6,16 116:16 117:3,9 131:2 135:4 146:15,22 148:19 151:19 154:7 155:16,20,21 156:4,6,8,11,12,19 156:25 157:1,3,23 158:11,13,14,22 170:6,9 171:2 172:3 178:11 202:8,9,12 217:11 217:11 <b>formal</b> 156:16 192:3 235:10 <b>formally</b> 186:17 <b>format</b> 28:8 <b>former</b> 108:2	<b>forms</b> 17:14 30:24 31:23 152:19,21 152:24 159:3 189:1,2 217:12 <b>forth</b> 46:24 131:8 <b>fortunately</b> 84:21 <b>forward</b> 60:1,6,14 64:11 72:7 178:22 253:9 254:12 <b>forwarded</b> 154:21 154:22,23 155:6 <b>found</b> 27:25 28:19 30:9,23,25 31:2,2 31:3 85:8 122:11 <b>foundation</b> 175:21 231:18 <b>four</b> 33:14 48:14 60:17 63:13 64:12 156:7,11,25 183:2 227:23 228:9 239:6 242:7 252:12,13 <b>fours</b> 182:12 <b>fourth</b> 36:11 43:13 93:16 <b>frank</b> 34:12 35:1 37:9 39:24 41:2 112:11 117:19 118:22 119:13 163:18 164:2 165:10,20 202:1 207:23 <b>free</b> 86:3 98:6,20 <b>frequently</b> 48:11 <b>fresh</b> 136:20 251:12 <b>friday</b> 140:22 143:13 196:10 <b>friend</b> 107:12 243:6
--	---	---	--



<b>front</b> 7:7 21:18,23 52:13,20 126:9 164:4 210:19 <b>fronts</b> 167:13 <b>fruit</b> 184:18 <b>fulfill</b> 49:7 <b>fulfilled</b> 49:5 89:3 226:18 <b>fulfilling</b> 57:20 <b>full</b> 23:8 84:25 85:4 115:1 191:12 202:10,15,22 203:13 206:4,7,11 206:13 <b>fullest</b> 191:2 <b>fully</b> 188:7 <b>functioning</b> 152:15 176:21 <b>further</b> 6:9 91:3 119:3 162:3 178:14 208:17 223:23 226:1 <b>future</b> 66:7	148:17 152:12 226:10 234:13 <b>ghahramani</b> 51:11 <b>giant</b> 184:18 <b>gif</b> 155:22 <b>gishu</b> 153:21 <b>give</b> 21:20 26:11 36:3,8 45:15 47:9 47:11 81:21 86:21 122:22 145:20 150:5 154:7 163:18 164:4 169:25 171:17 185:9 192:13 205:16 219:3 <b>given</b> 17:7 25:9 32:25 37:17 42:15 53:18 97:16 99:16 99:19 126:17 167:6 170:5 178:21 186:2 201:8,10 212:17 215:11 216:25 217:15 218:11 229:17 230:25 240:11 247:12 255:12 258:9 <b>giving</b> 77:6 78:25 80:22 100:11 143:25 <b>gmail</b> 155:6,11 157:9 <b>gmail.com.</b> 155:5 <b>gme</b> 135:20 <b>go</b> 26:3,9,13,16 27:4,10,12 55:21 64:11 68:24 69:5 80:15 88:19 102:4 119:25 128:6 136:4 142:18 145:20 146:1	171:13,17 178:2 178:21 185:17,20 190:18 191:5 199:25 200:7,11 220:9,20,22 240:14 244:16 247:7 251:1 252:17 253:17 <b>goal</b> 243:19 <b>goals</b> 21:15 23:9 132:20 <b>goes</b> 119:1 181:5 192:14 208:13 210:7 212:1 213:24 214:3,12 238:23 <b>gofree</b> 153:21 <b>goggled</b> 26:20 <b>going</b> 61:15 79:18 99:15,15 102:6,10 122:15 136:4 137:8 148:16 158:10 175:20 177:9 178:2,7 184:15,17 192:20 194:22 204:22 205:7 208:10 210:20 215:19 216:10 218:15 222:17 224:3 226:2,12 236:14 243:22 245:24 250:21 251:16,23 253:9,20,23 254:21 <b>gonzalo</b> 87:23 88:10 90:3 249:9 249:12,14 <b>good</b> 5:24 6:22 12:8 88:20 89:21 90:5 101:19 120:2	120:14 129:15 141:25 143:8,12 144:4 152:13 172:15,16 210:14 211:11 251:6 <b>google</b> 26:18 27:1 27:7 28:1,7,10 29:1,8,9,14 30:17 56:24 <b>googled</b> 30:8 <b>gotten</b> 94:19 176:13 207:21 242:14 <b>grab</b> 67:6 <b>grading</b> 218:20 <b>grain</b> 237:13 <b>granted</b> 123:17 124:6 133:12 140:6 <b>gratitude</b> 72:6 <b>great</b> 61:3,5 143:5 174:11 <b>greene</b> 105:13,16 <b>grievance</b> 100:9 <b>grocery</b> 37:20 184:15,17 192:21 <b>group</b> 68:15,22 101:24 198:22 <b>grow</b> 87:1 219:3 233:24 <b>growing</b> 234:6,12 <b>growth</b> 132:19 233:2,6 <b>guarantee</b> 67:3 <b>guess</b> 23:23 57:5 94:21 244:3,12 <b>guide</b> 216:6 <b>guidelines</b> 115:15 134:19 234:17,21 235:4,11
<b>g</b>			
<b>gaps</b> 149:4 <b>garcia</b> 104:23 <b>gathering</b> 220:13 <b>geared</b> 113:19 <b>general</b> 70:4 104:4 104:8 164:24 201:15 225:8 <b>generalize</b> 161:3 <b>generalized</b> 15:2 21:8 84:12 161:20 <b>gentleman</b> 230:1,4 230:6 <b>gestures</b> 12:12 <b>getting</b> 18:1 27:8 29:9 39:11 50:6,7 91:23 92:18 96:16 120:22 126:3			

[h - hours]

Page 20

<b>h</b>	115:10 118:9	<b>henderhook</b> 31:15	<b>hmc</b> 249:6
<b>h</b> 14:11 257:3	123:12 131:10	31:17,18	<b>hmc453</b> 4:21
<b>half</b> 251:15	148:4 155:7,11	<b>hereto</b> 258:7	<b>hmm</b> 126:15
<b>halfway</b> 113:1	157:8 158:1	<b>hershey</b> 1:5 5:13	<b>hoc</b> 121:18
<b>hamilton</b> 12:20	188:12 199:15	5:25 6:24 15:24	<b>holding</b> 222:18
13:23 14:1,13	209:16 212:19	16:16,19,20 17:17	<b>home</b> 146:1
130:7	215:11,12 217:11	19:24 26:2,12	166:19
<b>hand</b> 6:15 12:12	235:24 236:23	27:21 28:8,11,15	<b>honest</b> 213:13
35:13 125:14	239:4,9,21 240:6	29:3 44:20 104:5	219:2
126:14 136:6	241:10,13,17	105:7,11,17 106:4	<b>honestly</b> 87:24
165:18 181:23	244:22	106:15 107:5	216:1
<b>handed</b> 53:19	<b>healthcare</b> 23:22	108:3 148:11	<b>honey</b> 238:23
109:23 110:8	24:8 33:17 71:5	149:7 154:11	<b>hope</b> 197:25 198:4
111:4 216:16	119:23 131:19	256:4 257:1 258:1	198:6,10,20
218:14	188:9	<b>hesitate</b> 139:2	199:20,20,24
<b>handing</b> 158:9	<b>hear</b> 54:18 164:5,9	<b>hey</b> 82:19,19	200:2,8,11,11
<b>handle</b> 239:14	219:15 223:3	172:18	201:1 207:16
<b>handles</b> 14:14	<b>heard</b> 89:24	<b>hi</b> 137:7	208:3,7 214:12,12
<b>hands</b> 217:10	220:10 238:1	<b>hiccup</b> 31:24	224:12,21
<b>handwritten</b> 35:6	247:8	<b>high</b> 152:14	<b>hospital</b> 19:20,23
165:17 170:15	<b>hearing</b> 99:11	176:21	36:24 38:15 40:5
202:2 203:19	<b>heart</b> 145:12	<b>higher</b> 86:8	84:22 90:21
<b>hanging</b> 226:5	<b>heavily</b> 113:19	<b>highest</b> 131:13,22	197:21 199:1,17
<b>happened</b> 38:2,9	<b>heavy</b> 233:16	<b>highly</b> 13:15	199:21 229:19
44:23 71:22 147:6	<b>height</b> 191:12	<b>hill</b> 105:20,23	<b>hospital's</b> 134:18
163:10 185:3,8	<b>heightened</b> 147:18	109:19	198:1
<b>happens</b> 221:24	<b>held</b> 15:23 25:3	<b>hints</b> 80:23	<b>hospitals</b> 13:2
<b>happy</b> 171:6	178:4 253:21	<b>hipaa</b> 115:3,7	<b>hot</b> 87:7
<b>hard</b> 25:8 30:14	<b>hello</b> 236:3	116:7 117:2,18	<b>hour</b> 74:7 128:10
90:4 143:8	<b>help</b> 21:1 39:13	118:3,5,11,15	128:13,15 246:15
<b>harris</b> 246:23	57:22 73:3 77:7	128:8	251:15,17,21
<b>head</b> 12:2,12	77:25 86:22,25	<b>historical</b> 221:2	252:5,6,8,9,24,24
15:18 150:6 216:1	92:13 100:5,8	<b>history</b> 30:11	253:3,10 254:1
222:18	123:18,23 130:16	115:5,20,23 116:3	<b>hours</b> 4:8,20 9:18
<b>healed</b> 124:18	143:12 152:14	116:9 117:19,22	14:3 74:10 83:9
<b>health</b> 12:22 25:25	167:12 168:23	148:5 150:21,25	83:13,22 84:20
26:6,8 27:5 39:10	189:20 213:20	151:2,6,8 160:24	87:24 91:14 92:17
39:16 53:18,24	222:17	161:3,13 220:25	94:11 95:25
54:3 91:25 93:4,7	<b>helpful</b> 33:5 52:19	221:7	127:25 128:15
94:11 96:1,17	57:25 64:9 150:9	<b>hm</b> 211:1	133:17,21,23
112:23 113:25	164:12		169:1 176:17

[hours - informs]

Page 21

178:22 180:4,4,5,8 180:25 181:2,2,6 216:2 246:16,18 252:2,13,13,21,23 253:6,7,13 <b>hr</b> 14:11 20:14 26:2,3,9,14,17 27:10,12,12,21 29:12,18,25 30:9 30:10,18,24 31:1,5 31:10 32:15 33:20 155:10 157:23 158:2,3 <b>huh</b> 195:11 <b>human</b> 18:10 25:22 26:22 27:4 27:8 28:19 29:3 71:9 <b>hunder</b> 154:6 <b>hundertmark</b> 154:6 157:17 <b>hundertmark's</b> 155:14 <b>hundertmark153</b> 3:21 <b>hurt</b> 222:20 <b>hygiene</b> 210:15 211:11 <b>hypotheticals</b> 76:24	<b>illness</b> 160:25 <b>image</b> 155:24 <b>immediately</b> 217:17 <b>impact</b> 10:1 84:18 91:14 94:10 95:25 <b>impacted</b> 96:18 <b>impacting</b> 87:15 88:2 91:24 249:18 <b>impaired</b> 84:4,8 <b>impairments</b> 84:18 <b>implement</b> 60:3 60:10 82:1 173:11 173:16 174:12 175:14 176:9 <b>implementation</b> 104:8 <b>implemented</b> 21:12 45:17 61:15 64:14 83:7 114:2 119:2 121:15,20 242:4 <b>implementing</b> 60:1,7,14 72:7 174:20 177:15 <b>important</b> 12:11 67:5 159:17 209:13 230:19 <b>impression</b> 120:1 120:18 228:16 <b>impromptu</b> 249:17 <b>improve</b> 98:23 213:20 <b>improved</b> 233:2 <b>improvement</b> 86:3 86:10,24 132:19 233:6,20 <b>imputative</b> 215:9	<b>inaccurate</b> 221:4 <b>inappropriate</b> 115:18 <b>inaudible</b> 59:8 <b>incident</b> 38:15 84:3,24 90:15,16 90:20 91:2 115:1 118:25 119:5,11 125:1 145:9 <b>include</b> 43:8 80:5 97:10 177:19 205:19 227:7,10 227:14,18,23 241:16 244:23 <b>included</b> 21:12 22:23 33:13 41:25 48:10,12,15,19 51:14,20 57:19,23 96:25 98:22 <b>including</b> 10:9 59:19 97:7 98:16 104:6 118:8 143:16,22 177:18 191:15 220:3 <b>incomplete</b> 181:19 244:13 <b>incorporate</b> 240:25 <b>incorporated</b> 203:22 <b>incorporating</b> 242:19 <b>increased</b> 145:11 <b>independently</b> 39:18 <b>index</b> 3:1,7 4:1,23 <b>indicate</b> 86:12 108:20 <b>indicated</b> 85:3 91:22 209:2 255:5	<b>indirect</b> 221:5 <b>individual</b> 132:21 152:1 165:9 247:23 <b>individually</b> 205:15,15 <b>individuals</b> 103:8 103:10 225:19 243:10 <b>infer</b> 63:1 67:6 <b>inform</b> 20:4 34:22 77:21 91:13 250:6 <b>information</b> 8:9 14:24 15:17 17:3 17:16 18:4,9 19:8 19:11 20:8 21:4 30:9,18 33:3,10,12 33:15,16,21 34:23 55:1 62:8 72:3 75:17 77:24 79:4 81:4 91:3 97:1 104:11,16,21 105:1,3 106:6,22 106:24 107:6,16 110:5,6 115:13 116:8 117:10,21 118:7 119:9 153:11 164:19 179:20 183:20 192:14,16 193:5 194:2 195:21 214:7 215:2 219:9 223:18 230:20 234:19,20 245:14 <b>informed</b> 19:19 86:13 99:1 110:24 126:10 164:6 <b>informing</b> 184:6 194:5,21 195:12 <b>informs</b> 140:25
<b>i</b>			
<b>icu</b> 250:17 <b>idea</b> 234:9 <b>ideation</b> 150:21 151:6,16 <b>identification</b> 146:17 147:9 <b>identified</b> 254:14 <b>identifying</b> 110:5 110:6			

[initial - know]

Page 22

<b>initial</b> 28:1 148:20 <b>initially</b> 13:22 155:9 168:19 183:23 <b>initiate</b> 75:7 <b>initiated</b> 15:8 24:17 27:9 89:2 99:13 248:2 <b>injury</b> 124:8,16 <b>ins</b> 226:11 <b>inspected</b> 184:25 <b>institution</b> 109:14 <b>institutions</b> 131:11 <b>instructed</b> 7:22 243:20 <b>instruction</b> 12:14 33:1 42:15 158:8 226:2 240:11 <b>instructions</b> 32:21 42:18 99:16,20 196:14 201:7 202:8 206:15 249:15 <b>insurance</b> 149:5 <b>intake</b> 148:19 210:13 <b>intended</b> 86:21 167:1,6 168:20 235:2 <b>intent</b> 9:17 59:2 74:4 78:22 206:7 <b>interaction</b> 143:1 <b>interactive</b> 73:1 73:14 247:3 <b>interest</b> 195:13,15 195:23 199:11 <b>interested</b> 255:14 <b>interface</b> 180:13 <b>intern</b> 76:1,7 77:23 107:14,23 123:22 136:20	143:8 161:10 <b>internal</b> 44:21 76:3 225:4 228:11 <b>interns</b> 123:17 <b>internship</b> 22:10 <b>interpretation</b> 214:15 <b>interrogatories</b> 3:13 102:22 <b>interrogatory</b> 108:6 109:22 112:17 123:14 124:25 130:3 <b>intertwined</b> 215:16 <b>intervene</b> 248:1 <b>intervening</b> 234:14 <b>interventions</b> 209:3 210:2 <b>interview</b> 172:14 <b>interwoven</b> 53:22 <b>investigation</b> 108:9 <b>involved</b> 90:13 162:13,17 248:4 <b>issue</b> 52:6 97:20 125:20 126:12,14 140:1 168:2 178:25 227:24 249:21 250:7 <b>issued</b> 7:3 152:24 237:1 <b>issues</b> 98:14 159:1 212:22 216:21 228:6 231:4 236:20 244:22 249:22 <b>item</b> 71:24 112:19 197:17 220:7	<b>items</b> 51:13 60:17 60:22 63:14 73:6 73:6,16 81:23 83:7 120:18 121:7 136:23 143:25 144:6 192:18 217:14,22 239:6 240:10 241:21 242:7  <b>j</b>  <b>jafri</b> 107:13,14,20 <b>james</b> 22:7,18 23:20 24:24 45:18 47:11 109:19 136:17 169:16 172:13,17,18 <b>january</b> 246:21 <b>jed</b> 87:23 90:3 <b>jenny</b> 102:17 <b>jersey</b> 104:15 105:15 106:11 148:14 <b>job</b> 12:23 13:19 84:19 85:19 90:5 130:4 148:16 164:15 180:5 <b>judgment</b> 215:17 <b>july</b> 122:6 137:3 137:11 138:2,5 139:6 146:19 152:5 <b>jump</b> 249:4 <b>june</b> 106:15 136:9 136:16 <b>justify</b> 218:21  <b>k</b>  <b>k</b> 44:9 <b>keep</b> 90:4 118:7 222:18,20 238:24 251:16	<b>keeping</b> 216:1 236:13 <b>keeps</b> 165:21 <b>kept</b> 50:6,6 <b>kin</b> 255:14 <b>kind</b> 23:7 80:23 84:13 87:7 88:12 88:14 90:11 219:5 242:13 249:13 <b>kinyard</b> 248:18 250:24 <b>knew</b> 25:10 93:4 115:15 195:4 197:5 <b>know</b> 8:6,22 10:20 11:23,25 15:17 24:10 26:3,16 27:8,14,21 29:17 29:24 30:23 32:7 33:6 34:18,22 45:3,3 59:3,16 62:13 75:3 77:7 77:21,24 78:1,15 79:12 80:17,18,22 81:10,20 82:16 83:12,17 87:8,25 92:12 93:13,18 95:23 101:10 105:9,16,23 114:20,23 120:10 122:15 123:25 124:5 125:10 126:7 130:17 137:23 139:9 141:1,3,5,8 142:25 143:6 144:12 150:4 155:15 156:12 157:18 165:8,18 171:14 177:21 181:13,24 182:5 188:23
---	---	--	--

192:19 195:22 196:14 213:8,10 216:5 221:16 226:11 229:9 230:19 231:16 238:22,24 245:22 247:5 251:14 <b>knowing</b> 9:4 84:15 195:21 253:12 <b>knowledge</b> 8:2 50:20 54:25 55:4 78:24 79:4 81:14 96:22 101:1 103:8 104:2 112:18 151:20 173:1 213:14 215:24 216:4 231:15,19 247:16,20 251:9 <b>kobut</b> 59:25 <b>kogt</b> 22:18 <b>kogut</b> 3:16 22:7 23:20 24:25 45:2 45:19 47:11,12,25 62:18 71:18,23 91:9,11,17 92:2,22 93:6,22 94:4 95:2 95:6,22 96:11,12 126:20 136:9,18 136:22 137:3 138:6,8 139:6,14 140:1,17,19 141:20 142:3,13 143:16,21 144:14 144:14 159:10 169:3,16,18 172:10,13,25 <b>kuzmin</b> 124:7	<b>laid</b> 139:18 <b>lancaster</b> 1:16 <b>landed</b> 26:22 <b>language</b> 52:3,7 52:11,16 188:21 <b>largely</b> 17:5 180:25 <b>late</b> 8:23,25 9:3,18 20:6 111:9 124:10 174:4 179:3,8 <b>lateness</b> 254:1 <b>law</b> 1:15 <b>lawsuit</b> 6:24 11:5 <b>lawyer</b> 108:8 <b>lead</b> 28:10 29:2 <b>leader</b> 229:1 <b>leaders</b> 70:23 <b>leadership</b> 61:16 64:14 68:20 75:5 121:4 122:7 189:21 216:6 245:12 <b>leading</b> 13:14 80:21 99:24 122:25 <b>lean</b> 165:19 <b>leandra</b> 1:10 5:18 255:23 <b>learn</b> 87:2,5 104:20 105:2 219:4 <b>learned</b> 118:8 242:20 <b>learner</b> 92:14 <b>learners</b> 231:17 <b>learning</b> 90:13 <b>leave</b> 38:20 39:4 39:23 40:11,25 41:16 42:4,11 49:25 50:2 90:20 90:22 98:22 133:7	194:23 195:5 196:16,17,22 212:16 217:20 228:4 <b>leaves</b> 94:8 133:5 133:14 <b>leaving</b> 15:24 91:7 106:14 125:3 126:23 128:3 <b>lebanon</b> 144:24 146:19 <b>led</b> 22:20 27:7 29:11,18 30:12,17 44:24 45:25 46:11 53:5,15 <b>left</b> 16:16 64:10 89:6 119:25 120:18 127:4,15 181:23 247:5 251:18 <b>legal</b> 5:17,18 21:22 99:23 256:23 <b>letter</b> 4:4,16,18 35:6,9,14 36:2,9 42:16 43:8 48:23 51:2,9,14,17,21,23 51:25 52:5,10,13 52:18,20,20 72:15 72:18 73:17 81:16 81:20,22 110:9,24 111:5,10 113:1,19 163:17 164:4,7 165:5,11,15,24 166:2,24 167:1,5 167:16,18,22,24 168:12,20 169:19 169:25 171:3,25 203:19 205:22 206:8,9,16 207:13 207:25 211:19 226:14 229:16,20	237:6 <b>letters</b> 34:7,14,16 40:16 41:7,14 42:18 43:2 209:14 209:18 <b>letting</b> 238:22 <b>level</b> 13:11 131:22 132:15,24 133:2 213:21 225:24 234:8 247:16 <b>lieu</b> 6:10 <b>life</b> 88:3 <b>lifestyle</b> 211:10 <b>light</b> 8:24 55:2 179:6 193:16 251:11 <b>lighter</b> 128:18 <b>limited</b> 134:4 <b>line</b> 4:24,24,25 51:5 96:5 191:5,6 236:13 257:4,7,10 257:13,16,19 <b>lines</b> 83:6 110:4 192:11 251:5 <b>list</b> 23:11,12,13,15 97:7 103:8 119:20 123:19 202:5 213:24 239:6,8 242:21,24 243:2 254:13 <b>listed</b> 52:12 66:5 79:15 88:8 139:20 218:19 243:3 <b>listen</b> 35:24 121:21 <b>listening</b> 24:20 170:22 <b>listings</b> 182:15 <b>lists</b> 152:1 161:12 <b>literally</b> 126:2
<b>l</b>			
<b>labeled</b> 217:4 <b>lack</b> 104:7			

<b>litigation</b> 156:9 <b>little</b> 24:4 86:6,23 94:21 136:14,19 136:21 143:13 145:25 159:1 165:20 170:24 182:16 199:18 244:13 <b>llp</b> 2:3 <b>load</b> 181:3 <b>locate</b> 185:13 <b>located</b> 17:7 31:4 146:8 200:6 <b>location</b> 180:16 <b>log</b> 4:8,20 180:4 180:14 246:15 <b>logic</b> 189:6 <b>logical</b> 222:22 <b>logistics</b> 226:9 <b>logo</b> 155:22 <b>long</b> 47:20 66:21 124:12,13,19 216:2 251:14 <b>longer</b> 45:12,17 56:24 57:6 163:9 228:4 230:12 <b>look</b> 20:21 93:25 135:8 136:6 151:3 155:24 163:8 170:17 192:1 201:19 216:13 221:14 234:11 239:2 242:6 <b>looking</b> 20:17,22 20:24 23:25 32:9 44:10 60:1,6,13 72:7 131:9 151:3 151:5 203:18 207:6 209:7,8 212:22 216:5 233:6 244:17	<b>looks</b> 154:22 185:11 243:3 246:3 <b>lope</b> 198:13 <b>lopez</b> 1:15,17 5:5 5:22,22 9:7 10:19 10:25 11:24 12:5 27:15,18 28:23 29:4,20 30:1,19 31:6,11 32:18 33:24 34:20 35:15 36:4 42:7,12,24 47:7 50:13 52:8 55:13,18 56:5 58:12,19 59:22 60:5 61:9 62:4,10 63:12,15,17,19 64:2,19,25 65:12 65:25 66:17,21 67:14,17,23 68:3 69:1,11 70:12 73:10,22 74:22 75:14 76:14 78:3 78:6,18 79:7,16 80:3,9,14,17 81:5 81:8 83:15 92:23 93:23 94:17 95:7 95:12,19 101:22 102:3 112:5 114:7 114:15 116:5,10 116:15 121:9,25 122:13,21 127:12 134:8 142:20 143:18 153:4 156:19,23 157:11 162:15,25 163:7 166:12 168:14 169:21 174:6 175:20 177:25 178:8 179:13 185:7 186:25	187:7,11,19,21 188:1 193:23 201:3 202:25 203:5,8,24 204:4,6 204:15 209:5,11 213:7 215:21 218:10 219:14,17 220:8 223:2,5,15 231:7 232:14 237:2,23 238:2 241:2,14,18 244:1 245:19 246:2,6 249:5 251:14,18 251:22 252:1,6,8 252:12 253:3,7,16 253:24 254:17 256:1,2 <b>lost</b> 159:17 <b>lot</b> 25:11 37:18 38:2,8 57:21 92:17 151:9 165:21 237:17 <b>low</b> 231:21 <b>lower</b> 21:23 136:6 150:22 <b>luck</b> 172:15 <b>lunch</b> 101:20,23 <b>m</b> <b>m</b> 1:10 <b>m.d.</b> 2:11 16:15 <b>ma'am</b> 18:15 122:2 <b>machine</b> 255:9 <b>mailbox</b> 89:6 226:4 <b>main</b> 38:1 48:23 56:15 84:17 149:7 <b>major</b> 15:1 21:8 161:4,20 <b>majority</b> 86:8 221:9	<b>making</b> 25:8 65:3 139:17 214:14 235:10 <b>management</b> 152:7 161:25 162:4 227:8 247:16 <b>manager</b> 14:9 <b>managers</b> 109:7 <b>mandate</b> 228:4 <b>manner</b> 6:13 120:3,7,15 121:23 122:3,20 123:2,5 126:5,13 129:16 <b>march</b> 51:2,6,10 135:16 <b>mark</b> 154:6 180:15 234:3,7 <b>marked</b> 18:18 54:14 101:3 102:13 130:22 134:25 136:2 146:10 147:8 151:1,7,21 152:16 153:25 159:4 160:4 162:22 170:11 172:6 173:5 179:24 181:4 183:10 189:22,24 190:8 197:1 201:18 204:24 207:1 211:14 216:12 221:1,9 229:11,13 230:21 231:21 235:16 245:23 247:24 249:1 <b>marking</b> 7:8 <b>markings</b> 181:21 <b>marrero</b> 108:1
---	--	---	--



[marshall - mental]

Page 25

<b>marshall</b> 3:23 22:8,17 23:3,20 40:1,20 62:18 111:17 112:15 143:24 145:18 160:8,16 162:9,13 162:17 183:13,21 184:4,6 185:16 186:13,21 188:24 189:3,9,10,15 190:1 191:9,22 199:3,6 211:13 <b>marshall's</b> 188:5 <b>material</b> 10:10 80:13 <b>math</b> 251:25 252:10,13 <b>matter</b> 5:11 11:22 13:1 147:16 194:19 <b>mclenon</b> 248:17 <b>mean</b> 19:23 21:19 21:20 24:19 49:4 60:13 64:7 66:1 72:17 74:2 78:23 99:19 100:17 111:19 113:5,23 120:13,16 129:12 129:14 146:22 151:13 152:11 154:12 172:9 174:6 206:13 207:18 217:5 223:19 229:18 245:11 <b>meaning</b> 183:22 <b>means</b> 63:19,20 181:24 206:6 <b>meant</b> 60:12 73:20 200:12 201:2 233:14,18	<b>measures</b> 98:19 <b>mechanics</b> 185:10 <b>med</b> 37:4 <b>mediation</b> 213:8 215:9 226:14 <b>medical</b> 1:5 5:13 5:25 6:1,24 9:22 10:9 11:15 15:24 16:19,21 17:17 19:24 21:11 25:10 26:2,8,12 27:22 28:8,11,15 29:3 38:20 39:4,22 40:7,10,11,25 41:16,16 42:3,11 44:20 45:9 71:9 93:11 104:1,5 105:8,11,14,17 106:15 107:5 108:3 109:9,17,18 112:22 115:4,13 115:20,23 116:3,9 117:10,19,22,24 118:14,17 120:10 148:11 154:11 161:3,13 188:14 194:22 195:5,15 196:2,22 198:2,3,5 198:9,19 199:7,14 199:22 200:10,10 200:20,23 201:11 201:15 210:8 212:16 213:15 217:18,20 222:14 225:24 231:15,18 247:15,17,20 250:3 251:9 256:4 257:1 258:1 <b>medically</b> 199:12 <b>medication</b> 37:5 37:10 39:12 42:2	150:11,13,16 152:7 161:25 186:12 188:11,14 230:12,17,18 240:15 <b>medications</b> 9:23 10:1 148:14 186:1 210:17 250:5 <b>medicine</b> 44:21 76:3 135:25 225:4 225:9 228:11 246:24 248:16 <b>meet</b> 22:1 45:3 69:17,20 70:1,8,11 70:14,18 71:5 95:1,22 96:11 119:21,22 123:11 134:20 140:17 141:1,4,6,6,19 142:7 167:20 168:9,18 174:11 175:13,18,23 176:5,8 177:5 186:15,17 187:4 190:14 191:6 196:2 226:6 228:14,25 229:5 247:7 249:9 250:24 <b>meeting</b> 21:13 23:4,8 24:17,23,25 25:1,3,23 28:2 35:7,23 38:22,23 38:25 39:2,3,16 48:15 53:11,20 59:2,6,10,20,24 60:2 61:4 64:10 65:21 70:4 71:18 71:23 72:2,10 79:6 81:12 82:7 82:10 87:22,24	88:4,8,10,17 90:3 90:6,7 91:19 92:2 97:12,15 99:11 111:8,25 112:1,9 112:10,11,13,15 114:3 120:1,20 125:21 140:20 142:15 144:7,8,13 152:5 157:21 160:16 164:16 166:21,23 168:18 170:13,21,25 171:4 176:24 177:1,3 182:1 189:1 190:5 191:1 192:15,17 196:7 197:5,8 213:17 215:2,13 217:16 218:1 223:12 224:8 227:1 228:23 229:7 230:5 233:21,25 234:4 236:4 248:6 248:10 <b>meetings</b> 38:14,18 49:7 72:8 88:12 89:1,3,17 90:2 111:13,21 124:10 124:20 147:5 162:12 177:13,18 <b>member</b> 131:19 225:16 226:16,20 228:15 <b>members</b> 243:22 <b>memories</b> 195:1 <b>memory</b> 33:7 196:8 <b>men</b> 100:10 <b>mental</b> 25:25 26:6 39:15 53:18,24 54:3 112:22
---	---	--	---



[mental - nancy]

Page 26

113:25 115:10 118:9 148:4 157:25 188:9,12 199:15 212:18 215:11,12 217:11 235:24 236:23 239:4,9,21 240:6 241:10,13,17 244:22 <b>mention</b> 100:10 137:18 <b>mentioned</b> 18:7 137:16 192:11 239:17 247:11 <b>message</b> 4:6 155:14 157:18 159:9,13 172:10 172:24 191:16,17 <b>messages</b> 172:21 191:19,25 192:4 <b>met</b> 17:8 20:6 22:6 26:24 51:6,10 56:12 71:14 72:25 79:5 91:11 92:21 94:3,9 96:12 111:16,16,18,20 133:21 134:7 136:22 141:22 164:21 167:17 208:19 227:1 230:7,25 248:14 <b>methods</b> 22:25 <b>michelle</b> 3:18 26:11 40:9 41:2 84:24 147:13 149:8 205:4 <b>mid</b> 50:11,17,21 179:17,21 215:19 215:20 216:9 <b>middle</b> 1:1	<b>milestone</b> 4:9 132:20 181:24 182:22 <b>milestones</b> 132:14 132:16,17,23 232:9 233:9,13,22 233:25 234:2,9,23 234:25 235:1,2,5 235:12 <b>milton</b> 1:5 5:12,25 256:4 257:1 258:1 <b>mind</b> 9:2 18:8 76:24 101:9 209:1 222:16 <b>mine</b> 73:7 104:14 104:24 105:7 107:10 123:21 236:12 <b>minimal</b> 247:5 <b>minimizing</b> 210:13 <b>minimum</b> 76:5 133:2,2 <b>minute</b> 90:10 <b>minutes</b> 47:20 53:12 66:22 251:21 252:4,13 252:19,23,24,25 <b>mischaracterizat...</b> 162:16 198:14 237:3,3 <b>mischaracterized</b> 58:13 <b>mischaracterizes</b> 93:24 112:6 116:11 121:10 143:19 153:5 <b>miscommunicati...</b> 126:16 <b>misdiagnosis</b> 250:4	<b>mispronouncing</b> 31:18 <b>missed</b> 83:2 87:16 <b>missing</b> 30:5 <b>misspoke</b> 31:4 <b>misstates</b> 29:20 61:9 76:15 80:6 <b>misused</b> 219:11 221:19 <b>mix</b> 149:22 <b>mixed</b> 111:15 <b>modifiable</b> 76:2 <b>modifications</b> 169:1 <b>modified</b> 176:17 239:13 <b>modify</b> 76:11 <b>modifying</b> 174:22 <b>mom</b> 243:5 <b>moment</b> 11:23 16:18 56:14 218:15 240:13,13 240:14,18,21 241:7 242:5,8 251:20 <b>monday</b> 254:10 <b>monitor</b> 20:20,24 44:13 <b>montclair</b> 109:14 <b>month</b> 129:9 <b>monthly</b> 23:22 24:8 71:6 119:23 123:12 150:5 <b>months</b> 76:23 149:15,17 163:9 <b>morning</b> 5:24 6:22 8:23 37:19 127:5 142:4 172:17 179:4 183:22 184:7,16 191:6,18 193:9	<b>move</b> 227:3 253:9 <b>moving</b> 135:24 <b>multiple</b> 19:15 63:21 68:9,9 111:21 140:10 167:12 198:7 <b>munion</b> 248:11,14 248:15 <b>munoz</b> 20:15 34:12,15,18,23 35:1,8,13 36:1,8 37:9 39:24 40:20 41:2 72:24,25 73:25 81:17 85:3 96:21,25 106:2 110:9,18 111:5,11 111:18 112:11 115:12,14,25 116:2,7 117:1,19 117:21 118:21,23 119:12,13 163:18 164:2,6,17,22 165:2,10,20 169:10,19 170:15 171:2,24 202:1 203:12,19,21 205:7,13,18 206:4 207:21,23,24 242:10,13,16 <b>munoz's</b> 156:25 170:3  <b>n</b>  <b>n</b> 44:9 <b>name</b> 6:22 15:17 16:7 31:9,18,20 32:1 33:15 44:8 74:17 75:1 <b>names</b> 26:10,11 <b>nancy</b> 2:3 5:24 6:23
--	--	--	---

[narrative - nutritious]

Page 27

<b>narrative</b> 220:1,3	141:3,5 146:15	<b>nicholas</b> 105:5,6	122:20 127:6
<b>national</b> 146:16	164:21 178:19	<b>nicole</b> 2:11 34:17	147:12 149:20
<b>nature</b> 13:25 17:6	188:19 195:5	36:18,20 169:17	160:12 161:2,8
37:17 39:7 55:3	196:2 198:19	<b>night</b> 8:23 127:8	172:13 205:15
128:16 184:1	202:9 208:2,6	156:20,22 179:3	225:12,13,16,18
222:5 226:13	216:7 221:8	<b>nod</b> 12:2	225:20 226:16
<b>ne</b> 30:5	231:18 247:11	<b>nodding</b> 22:23	227:2 248:7
<b>near</b> 124:17	254:2	<b>nods</b> 12:12	<b>notice</b> 7:3,5,7,11
152:24 155:2	<b>needing</b> 248:1	<b>non</b> 198:9,20	100:2 111:19
213:14	<b>needs</b> 96:7 110:14	199:24 200:25	230:2 255:4
<b>necessary</b> 132:24	152:1 227:18	208:7	<b>notification</b> 41:22
258:6	244:22 254:7	<b>noon</b> 47:11,23,25	<b>notified</b> 99:21
<b>need</b> 5:6,6 14:5,6	<b>negative</b> 69:3	127:17	<b>notify</b> 158:25
15:12 19:20 20:5	91:14 94:10 95:25	<b>notary</b> 1:11	<b>noting</b> 209:21
20:9 21:5 41:10	98:14 101:3 247:6	255:23 258:13,19	<b>november</b> 169:14
42:10,22 55:2	247:10	<b>note</b> 3:23 20:15	170:1 175:10
59:16 61:17 68:24	<b>negatively</b> 96:17	49:12 67:10 79:19	179:17 240:24
69:4 70:23 71:25	<b>neither</b> 255:13	89:20 119:16	<b>number</b> 5:10
74:5 76:9,18,22	<b>network</b> 227:11	160:7,10,15	19:19 22:9 33:16
80:18 81:3,8 82:2	<b>never</b> 26:21,24	170:15 203:23	71:24 77:8 97:10
82:8 92:11,22	50:22 76:24 89:2	205:7,8,12,17,20	103:7,8 108:6,6,20
93:2,3,22 94:4,14	89:23,25 115:8	208:23 209:8	109:22 123:15
94:16 95:2 96:2	125:15 128:19	210:8 211:5,5	124:25 125:12
112:19 130:11,15	198:21 209:1	214:3 225:8 230:1	129:6 130:3
140:25 141:6	229:20,24,25	230:17 256:10	146:17,25 151:23
158:11 167:24	230:23,23,24	<b>noted</b> 86:2 96:13	151:25 152:18
170:4,8 176:16	231:1 247:8	124:9 168:25	161:19 197:23,25
178:15 179:7	<b>nevertheless</b> 101:2	179:2 193:3 201:8	198:8 220:7
186:17 187:4	<b>new</b> 13:23 23:8	258:7	221:10 225:11,12
188:9 198:8	64:22 67:18	<b>notes</b> 3:18 4:14	227:7,10,14,23
199:22,23 200:4,9	101:16 104:15	23:2 43:4 48:16	242:6,24 243:2,4,5
204:14 206:14	105:15 106:11	48:17 61:18,23	243:6,7,7 244:14
210:19 222:18	136:19,20 137:21	62:3,20,23,25	244:17,17 245:1
241:9,12 247:22	144:10 145:21	64:18,24 65:11,17	<b>numbered</b> 218:25
<b>needed</b> 25:11 28:5	148:14 176:22	65:24 66:6,13,16	<b>numbers</b> 98:19
41:12 61:22,24	195:9 250:8,14,14	67:2,7,13,22 68:2	135:8,9 182:3,4,6
64:14 65:14 74:20	250:15,15,15	68:13,18,25 69:9	244:10,15
76:13 91:18,24	251:10,12,15	69:13,14 88:18,20	<b>numerical</b> 86:5
92:19 93:8,8	<b>newark</b> 105:15	89:21 97:12,15,17	<b>numerous</b> 111:13
96:17 121:3 130:6	<b>newness</b> 250:6	97:22 119:13	<b>nutritious</b> 152:13
130:14 132:17		121:13,24 122:12	

[oath - ospe]

Page 28

<b>o</b>	<b>objections</b> 5:3 6:13 79:20,22 80:4,16 178:11 204:13 215:6 <b>objective</b> 89:12 98:5,11 100:20 151:25 218:23 <b>obligated</b> 57:15 <b>obligation</b> 89:3 134:17,18 <b>obligations</b> 57:10 57:14,17 131:4 <b>observation</b> 214:4 <b>observed</b> 124:20 220:13 <b>obtain</b> 17:21 25:25 26:7 28:8 29:10 104:11 121:24 135:12 160:9 163:23,25 198:2 213:21 221:8 <b>obtained</b> 32:16 42:18 62:9 72:19 133:3 205:17 206:17 <b>occur</b> 47:5 145:13 192:19,23 226:12 240:1 <b>occurred</b> 37:14 44:14 49:14 50:21 84:20,21 91:7 92:9 110:16,16 111:14,21,25 125:24 126:1,4 187:13 194:18 216:1 217:23 231:1 <b>october</b> 13:5 35:14 144:15 169:4,8,13 173:11,23 174:4 176:12,14 177:4	240:23 <b>odd</b> 86:23 87:3,13 190:22 195:18 197:14,17 198:15 198:18,24 199:9 199:13,18 201:9 <b>offer</b> 176:17 <b>offered</b> 15:3 59:5 59:17 130:4 <b>office</b> 53:9 71:10 109:13 147:15 217:10 <b>official</b> 231:1 <b>oh</b> 12:25 24:9 46:19 76:23 112:13 151:5 157:15 171:14 183:5 198:16 209:11 210:18 222:16 250:3 252:19 <b>okay</b> 14:1 21:25 24:4 33:13 35:5 37:16 41:15 43:16 44:14 47:1 51:8 52:19 55:21 68:11 81:24 91:1 93:21 94:15 96:8 97:22 111:23 115:9 121:21 137:14 145:22 147:23 148:4 151:24 175:9 178:1 187:21 200:15,18 207:9 212:21 219:17 220:19,22 225:3 234:2 246:7 251:22 253:1,4,8 254:18,19 <b>once</b> 28:18 32:12 32:16,24 47:20	139:21 153:2,6 172:14 <b>ones</b> 18:7 26:6 61:13 65:3 160:2 <b>ongoing</b> 194:8 227:8 <b>online</b> 27:25 31:3 129:8 <b>open</b> 219:6 <b>opened</b> 207:7 <b>opinion</b> 118:15 218:2,5,6 222:4 223:21 <b>opportunities</b> 87:4 <b>opportunity</b> 7:19 9:15 18:24 80:21 86:25 156:22 166:11 179:5 190:17 208:23 246:22 <b>opposed</b> 165:17 <b>option</b> 114:20,22 114:24 119:21 237:11 <b>options</b> 77:18 79:1 <b>orange</b> 1:16 <b>order</b> 12:12 13:19 41:10 111:24 136:5 176:19,20 <b>ordered</b> 251:7 <b>orders</b> 127:1,6 <b>organized</b> 168:18 <b>orientation</b> 16:25 17:4,12 18:2 <b>original</b> 5:8 166:4 166:7,11 <b>originally</b> 14:8 110:19 <b>osce</b> 89:11,23 <b>ospe</b> 89:10
----------	---	--	---

[outcome - people]

Page 29

<b>outcome</b> 38:11,17 255:15 <b>outlier</b> 100:14 101:7 <b>outline</b> 208:5 <b>outlined</b> 231:25 <b>outpatient</b> 160:15 <b>outside</b> 32:4 227:11 229:8 240:8 245:16 <b>overall</b> 13:11 153:18 241:1 <b>overlapping</b> 59:8 <b>overnight</b> 74:10 128:21,24 <b>oversaw</b> 199:4 <b>oversee</b> 13:1 <b>oversight</b> 140:11 <b>overwhelmed</b> 141:16	114:25 119:15,15 122:17 123:14 124:24 125:12 129:5 130:3 131:25 133:4 135:8 136:5,7 138:5,5 139:7,13 142:3,10,12 144:17 147:20,22 150:20 156:1,14 156:25 157:3 161:7 194:5 246:12 257:4,7,10 257:13,16,19 <b>pages</b> 19:15 156:6 156:7,11 254:9 <b>panic</b> 145:2,5,17 239:25 <b>pantalione</b> 209:24 <b>paper</b> 165:21 224:16 <b>paperwork</b> 25:15 25:20 71:10,13 <b>par</b> 88:21 89:22 <b>paragraph</b> 25:13 37:3 43:10,15 48:3,6 51:24 52:25 56:9,17,18 57:8,9 58:4,5 60:16 63:3 71:8 71:17 72:13 79:15 81:15 82:9 83:8 84:2,23 85:12 86:12 90:17,18,23 91:10 92:5 93:25 94:14 95:18 96:2 96:6,20 97:12,13 97:24 98:8 99:10 100:13 110:15,22 110:23 112:23 113:1 115:1 121:8	128:6,7 131:3,4,9 131:16,25,25 133:4,16,16 134:5 134:17 142:19,21 143:10 160:18 186:13 190:18,19 190:21 191:5,15 191:18 192:7,22 192:23 193:2,15 194:1 230:24 <b>paragraphs</b> 143:3 <b>parking</b> 38:8 185:12 <b>parkway</b> 2:4 <b>part</b> 49:8 51:5 55:4 75:13 87:5,6 87:11,19 123:6 131:11 156:12 162:9,11 180:5 195:19 204:10 213:25 221:25 250:20 <b>partially</b> 82:5 109:24 110:2 <b>participating</b> 6:6 <b>particular</b> 71:2 153:16 175:22 <b>parties</b> 5:2,20 6:11 <b>partner</b> 97:8 <b>parts</b> 48:24 <b>party</b> 255:14 <b>passed</b> 184:11 <b>path</b> 29:11,17,24 <b>pathway</b> 27:7 30:12 <b>patient</b> 48:16 51:16 88:12,13 89:15,23 118:25 119:11 125:2,4,7 125:10,14,15,20 125:23,25 126:4,4	126:7,7,8,12,14 131:18 146:5 149:20 160:10,11 160:12 161:8 181:3 193:16 194:7 209:21 231:4,13 <b>patient's</b> 198:23 <b>patients</b> 48:1 88:19 90:12 126:25 127:3,7,9 194:8 227:21,25 244:25 245:10 <b>pediatrician</b> 103:12 <b>peers</b> 88:21 89:22 <b>penalization</b> 67:3 <b>penalize</b> 219:4 <b>penalized</b> 67:4 69:24 237:14,21 238:11,17 <b>penalty</b> 19:7 <b>pending</b> 8:13 194:23 <b>penn</b> 19:24 26:1 26:12,22 27:5 32:8 104:5 105:7 106:15 107:5 108:3 131:10 154:24 155:6,10 157:7 <b>pennstatehealth....</b> 154:17 155:3 <b>pennsylvania</b> 1:1 103:13 106:4 144:25 <b>people</b> 15:3 120:12 121:3 185:10 215:17 230:5 234:8
<p style="text-align: center;"><b>p</b></p> <b>p.m.</b> 47:23 102:6 102:10 127:19 128:1 178:2,7 253:20,23 254:20 254:22 <b>p.s.</b> 171:21 <b>pa</b> 1:16 2:4 40:1 <b>pablo</b> 1:2,8 3:4 5:11,12,23,23 6:16 172:18 183:23 211:24 241:7 256:4,5 257:1,2,24 258:1,2,4,12 <b>package</b> 158:2 <b>pad</b> 21:22 <b>page</b> 3:9 4:3,24,24 4:25 19:2,18 30:11 34:4 43:13 43:14 52:24 110:22 112:21			

[percent - portion]

Page 30

<b>percent</b> 27:6 29:13 44:7 108:14 192:2	<b>phone</b> 14:22 97:10 173:3,3 184:11 185:14	253:24	155:15 157:18 164:10 204:18 205:19 219:12 252:18 253:18
<b>perform</b> 131:5,10 131:21 152:9 221:7	<b>photo</b> 165:23 166:1,15,17	<b>plaintiff's</b> 3:12 102:20 179:11	<b>pm</b> 135:25
<b>performance</b> 53:22 85:14,19 86:24 89:12 98:5 98:11,19 100:20 129:8 153:18 199:4 218:23 220:5	<b>photographed</b> 17:15	<b>plan</b> 3:19 39:16 54:3,6,9 86:13,17 86:20,22,24 87:5 87:11,14,17,21 88:10,23 90:14 97:1,3 112:23 114:6,10,18 151:23 152:6 161:16,19,23 162:6 209:2 210:10,23,24 211:4,8 213:6,9,16 213:20 214:1,16 214:20 215:12 218:3 222:13 224:25 226:14 227:8,15,18 228:16 231:24 232:3 235:24 236:7,8,20,23 237:8 239:2,3,8,11 239:18,20,22 240:8,21 241:1,5,6 241:17,20 242:11 244:18,21	<b>pmnr</b> 107:15 <b>podiatrist</b> 104:15 <b>point</b> 9:5 12:8 28:19,22 41:14 45:11,14,24 46:7 46:10,14,16,22 55:10 67:25 75:10 77:5 83:23,24 84:1 85:15 93:12 93:14 101:9 106:13 109:1 111:1 125:8 126:25 130:14 149:7 200:3 202:20 205:22 210:18 217:6 218:8,21 220:6,12
<b>period</b> 47:24 67:24 124:21 138:11 145:23	<b>phrase</b> 94:2 238:23		
<b>perjury</b> 19:8	<b>physical</b> 135:25 145:11 195:8 220:25 221:7		
<b>permissible</b> 80:1	<b>physically</b> 6:7 36:2		
<b>permission</b> 60:17 61:8,11,17,22 62:7 62:19 63:7,11,13 63:19,20 96:22 118:14	<b>physician</b> 40:2,6 104:25		
<b>permitted</b> 8:20	<b>physicians</b> 21:13 39:21 40:13 42:5 42:9,21 58:24		
<b>person</b> 6:10 19:25 26:25 31:9 35:11 36:25 149:7,21,22 167:2 168:25 169:25 182:18 205:11 218:12 226:24	<b>pick</b> 205:12 <b>picked</b> 218:25 220:1		
<b>personal</b> 97:20 154:21,23 155:12 157:6 162:10 236:12	<b>picture</b> 166:22 219:25		<b>pointed</b> 221:12 <b>points</b> 128:23 233:17
<b>perspective</b> 210:8	<b>place</b> 8:17 49:11 50:18 62:22 64:16 65:21 95:11 112:10 119:4 120:23,25 124:12 124:13 136:15 168:24 173:22 177:16 194:22 214:4 217:3 219:4 234:6 255:5	<b>planned</b> 142:7 178:18	<b>policies</b> 17:17,20 17:24 18:4,6,10 28:11,16 100:6 195:22
<b>pgy</b> 17:25 76:6,22 76:23 107:15,15	<b>placed</b> 39:12 42:3 43:14 48:8 99:4,7 218:3	<b>plans</b> 152:4,8 208:18 241:21 247:16 248:2	<b>policy</b> 32:15 100:10
<b>pgy2</b> 135:6,25	<b>places</b> 211:21	<b>please</b> 6:4,14 8:5 24:6 35:24,25 44:8 55:22 68:5 77:20 80:1 83:3 111:24 116:13,22 121:22 129:22 139:17 143:3 145:9 147:20	<b>polite</b> 72:5 144:2 170:20 172:5 238:21,24 239:1
<b>phase</b> 220:23	<b>placing</b> 113:2		<b>poor</b> 93:5
<b>philadelphia</b> 103:13	<b>plaintiff</b> 1:3,18 5:23 178:10,12,16		<b>portal</b> 160:12 180:12
			<b>portion</b> 129:24 131:6 150:22 220:23 226:18

[position - program]

Page 31

<b>position</b> 9:15,16 12:21 13:9,24,25 15:22 67:12 79:13 83:14 118:10 130:12 131:7 154:10 217:24 218:17 219:8,10 221:17 222:11 253:17 <b>positions</b> 15:24 56:23 <b>positive</b> 85:14 97:25 98:3,9,10,12 98:20 <b>possess</b> 11:12 <b>possessed</b> 115:19 <b>possesses</b> 106:6,22 107:17 <b>possession</b> 10:8 79:3 157:2 159:12 <b>possibilities</b> 27:24 <b>possible</b> 18:6 29:7 73:21 74:3,5 77:10 81:12 96:12 100:23 119:3 177:20 193:13 202:24 203:15 237:16 <b>possibly</b> 126:6 186:18 187:5 <b>potential</b> 61:19 62:21 186:19 187:25 188:15 <b>potentially</b> 187:24 <b>power</b> 64:15,17,23 65:10,15,16,23 66:1,5,8 67:1,16 121:3 168:21 228:21,22 <b>practice</b> 89:10,11 227:5	<b>pre</b> 175:9,10 <b>precipitating</b> 209:17 <b>predictability</b> 74:7,11 <b>predictable</b> 74:19 <b>preface</b> 183:24 <b>prefer</b> 253:11,12 <b>preference</b> 71:2 <b>preliminary</b> 33:15 76:1,6 <b>prep</b> 225:25 <b>preparation</b> 10:23 11:2 <b>prepare</b> 10:3,6 <b>prepared</b> 9:9 23:11,12 178:21 220:17 <b>preparing</b> 54:5 <b>prescribed</b> 186:1 <b>presence</b> 245:17 <b>present</b> 2:9 5:20 6:7 12:10 99:23 145:24 160:25 <b>presentation</b> 214:14 <b>presented</b> 8:21 158:7 170:9,14 171:2 213:6 230:24 <b>presenting</b> 147:16 147:24 <b>presume</b> 8:8 44:10 <b>prevent</b> 240:21 <b>previous</b> 71:18 108:7 127:23 138:5 196:3 <b>previously</b> 110:7 163:2 173:12 <b>primary</b> 12:23 39:25 93:19 94:8	96:1 148:13 162:20 195:20 <b>printed</b> 76:4 160:13 <b>prior</b> 8:13 16:23 16:24 21:14 23:8 24:25 25:23 29:25 55:7 56:4 58:24 98:18 100:2,4 103:4 125:24 126:19,23 128:3 145:7,7 149:9,25 150:2 168:6 174:4 174:11 175:14 176:5,8 177:5 181:11 183:16 184:16 194:19 196:21 225:21 230:11 254:16 <b>priority</b> 24:11 <b>privileged</b> 10:13 80:13 <b>proactive</b> 90:5 167:11 168:4,11 168:17 <b>probably</b> 157:7 160:13 166:19 251:17 <b>problem</b> 80:25 126:14 147:17,25 166:12 223:1 239:18 <b>problematic</b> 64:9 <b>problems</b> 52:1 237:12 <b>procedure</b> 79:21 80:2,4 <b>procedures</b> 100:1 <b>proceed</b> 9:3 99:10 179:12	<b>proceeding</b> 100:8 <b>process</b> 11:8,9 14:10 15:4,8 27:9 28:12 32:5 73:14 97:16 99:13,18,25 100:10 157:24 158:4,11,13,21 159:8 221:25 233:9,12 234:1 250:15 <b>produce</b> 7:19 156:8 <b>produced</b> 7:11,25 11:21 108:12,16 147:15 152:20 156:17,18 159:19 254:15 <b>production</b> 8:25 166:10 179:3,8 <b>professional</b> 93:12 118:14 131:14 236:14 <b>professionalism</b> 131:22 <b>professionals</b> 16:10 <b>profile</b> 84:17 <b>program</b> 16:9 17:1 25:7 43:15 48:4,5,7,8,20,24 49:10,13 50:7 56:19,25 57:4,6 61:16 75:5,13,19 77:20 78:5,12,16 78:24 79:2,6,13 81:12 118:6 121:20 124:1 131:12 134:2,20 148:22 149:2,4,11 149:14,18 150:14 158:24 162:9
--	--	--	---



[program - question]

Page 32

164:15,20 165:2 169:1 226:19,21 227:12 228:15 233:6 245:12 <b>progress</b> 48:17 88:18 182:2 214:13,21 224:22 225:7,12,13 232:3 232:8,22 233:24 <b>prohibited</b> 245:9 <b>prohibits</b> 227:20 244:24 <b>project</b> 15:10 <b>prompt</b> 169:12 217:2 <b>prompted</b> 26:7 177:1,11 <b>prompting</b> 229:8 <b>prompts</b> 195:1 <b>proper</b> 116:20 217:13 <b>propose</b> 102:1 213:19 <b>proposed</b> 213:16 <b>propounded</b> 97:15 <b>protected</b> 11:7 <b>provide</b> 11:3 20:8 34:23 40:13 57:13 71:13 88:13 109:15 131:4,17 131:25 132:22 133:5,19 134:18 164:19,25 165:1 174:24 225:12 227:17 235:12 240:9,10 244:6 248:7 251:3 <b>provided</b> 11:1 20:11,12,13 21:10 22:22 61:12 62:10 79:21 80:5 117:21	119:17 135:20 149:7 154:6 160:3 210:7 214:7 215:10 225:12,15 225:22,24 234:16 248:21 <b>provider</b> 23:22 24:8 25:25 33:17 39:25 71:6 73:15 82:5 115:21 146:17 148:13 158:1 160:7 162:20 195:20 198:3,6,6,10,20 199:14,16,20,23 199:24 200:8,10 200:16 201:1 207:17 208:7 <b>providers</b> 14:5 26:6,8 40:8 41:17 43:3 117:25 119:23 123:12 188:10,13 196:3 198:25 205:14 207:21,22 211:9 242:14,20 <b>provides</b> 108:7 138:13 147:17 213:19 <b>providing</b> 22:24 80:23 170:22 194:2 234:14 244:12 <b>psalcedo</b> 154:17 155:3 <b>psychiatric</b> 201:13 <b>psychiatrist</b> 20:15 39:25 41:23 56:11 72:14 77:23 106:4 110:25 115:4 117:18 128:10	152:7 162:1,3 186:6,11,17 187:4 187:17,23 188:20 199:17 200:1,2,6 207:23 210:17 <b>psychiatry</b> 201:16 <b>psychological</b> 200:21,22 249:21 <b>psychologist</b> 162:3 186:7 187:18 201:11 <b>public</b> 1:11 255:23 258:19 <b>pull</b> 52:19 208:25 247:23 <b>pulled</b> 45:19 <b>punished</b> 66:7 215:8 222:16 223:25 <b>punishment</b> 224:4 224:7 <b>punitive</b> 53:13 61:19 86:14 221:22 222:5 238:2 <b>purely</b> 41:8 162:10 <b>purpose</b> 86:16,19 86:21 93:19 94:8 214:20 219:5 232:7 243:14 245:6 <b>pursuant</b> 7:3,25 255:4 <b>pursue</b> 195:13 <b>put</b> 9:8 27:3 38:20 53:12 64:15 81:8 86:6 111:23 120:22,24 129:25 163:11 168:23 178:23 217:8	221:3 222:21 249:7 <b>putting</b> 37:4 116:16 217:2 222:13 <b>q</b> <b>quality</b> 220:24 <b>quantity</b> 76:21 <b>question</b> 5:3 8:5,7 8:13 12:1 24:6 27:17 28:21 29:6 35:24,25 42:20 46:24 47:2,8 50:15 52:9 56:7 61:21 62:14,15 63:18 64:22 65:8 65:13,22 66:3,20 66:25 67:19 68:6 68:8,11,17 70:17 74:2 77:17 79:11 80:1,8,12,20,21,24 81:1,3 83:17,19 88:12 94:22 95:9 95:20 112:8 114:8 116:12,17,19,21 116:24 121:22 122:2,25 123:4,15 132:3 134:8 148:5 148:6,18 150:9,21 150:22 151:15 157:16 169:23 175:24 178:12 181:5 187:20 188:2 193:19 200:24 201:6 203:4,10,11 204:7 204:8,14,14,16,20 219:16 223:18 230:13 231:9 238:5 244:4,15 245:21 250:1,11
--	---	---	--



<b>questions</b> 8:4,21 10:15 24:1 80:7 95:15,16 139:2 141:16 155:17 157:17,19,20 <b>quick</b> 141:15 220:20 <b>quicker</b> 82:1 <b>quickly</b> 251:25 <b>quiet</b> 21:15 23:1 58:23 61:18,22 62:3,19,22,24 64:17,23 65:10,17 65:23 66:5,13,16 67:2,12,22 68:1,13 68:18,25 69:5 72:10 109:6 119:20 120:19 121:13,24 122:11 122:14,20 144:8 <b>quite</b> 57:21 201:8 203:16 <b>quizzed</b> 87:8 <b>quote</b> 36:13 76:25 <b>quotes</b> 51:19 52:12	<b>rate</b> 145:12 <b>rational</b> 237:18 <b>reach</b> 31:5 120:12 138:20,23 139:3 143:6 145:18 158:25 168:9 189:17 226:20,24 240:17 <b>reached</b> 24:16 25:22 31:10 35:1 45:18 91:8 120:9 122:7,8 155:13 168:18 189:16 226:23 <b>reaching</b> 48:11 93:13 94:9 132:14 136:14 167:12 172:12 189:20 <b>reaction</b> 90:21 <b>reactions</b> 42:3 <b>read</b> 32:21 55:22 55:25 81:24 116:24 143:2 178:13 204:17,19 224:9,9 256:9 258:5 <b>reading</b> 51:4 207:9 <b>readjust</b> 240:14 <b>reads</b> 130:13 <b>ready</b> 179:12 <b>real</b> 90:9 <b>realized</b> 91:5 237:13 <b>realizing</b> 99:14 <b>really</b> 46:20 50:24 68:8 69:14 84:14 84:15 86:23 87:25 90:4,12 142:24 143:4,5,12 144:4 171:6 192:9 238:7	243:19 245:22 <b>reason</b> 37:20 96:1 163:4 217:2 230:3 256:11 257:6,9,12 257:15,18,21 <b>reasonable</b> 22:12 22:16,21 58:6 155:8 218:12 240:3 <b>reasonably</b> 41:24 93:11 <b>reasoning</b> 247:21 <b>reasons</b> 39:12 <b>reassurance</b> 22:22 <b>reassured</b> 145:19 <b>rebut</b> 220:6 <b>rebuttal</b> 221:19 237:6 <b>rebuttals</b> 153:10 <b>recall</b> 9:1 17:4 18:12 27:6 28:13 37:18,22 38:2,3,6 71:2 76:4 82:14 82:15 101:6 111:16 135:19 136:14 167:17 169:6 176:25 179:7,23 184:6 185:13,16,19 190:4 191:2,12 192:7,9,16,18 193:5,6,7,12,14,18 193:21 194:2,5,18 194:21 195:7,12 195:17 196:1,9 209:20 210:3,10 210:12 211:7 246:5,21,25 247:25,25 248:6 248:10 249:11,13 250:19,21	<b>recalled</b> 34:2 <b>recalling</b> 26:18 84:12,14 <b>receipt</b> 236:7 256:18 <b>receive</b> 7:5 16:11 17:11,16,20 18:3,4 18:9 51:9 89:16 108:25 109:4 123:24 135:18 152:23 179:20 182:10,14,23 197:6 223:7 225:17 <b>received</b> 8:23 10:9 13:16 17:13,22 18:13 32:12 86:7 98:2 99:7 100:19 100:23 101:4 109:5 123:25 124:4 125:4 135:22 157:10,23 163:3,18 179:3 182:8,11 183:2 211:19 221:5 223:6 229:21 230:23 231:2,16 245:4 <b>receives</b> 75:16 <b>receiving</b> 33:19 85:18 148:21 166:18 <b>recognized</b> 13:15 46:17 253:25 <b>recollect</b> 191:1 <b>recollection</b> 10:17 11:14 37:16 125:19 185:7 194:14 <b>recollections</b> 185:5
<b>r</b>			
<b>r</b> 44:9,9,9 256:1 257:3,3 <b>raise</b> 6:14 168:2 169:8,11 218:18 221:21 <b>raised</b> 85:25 212:10,24 222:25 223:12 <b>ramification</b> 65:5 <b>ramifications</b> 69:7 <b>random</b> 67:7 74:8 74:9 <b>range</b> 172:21 228:19			

[recommendations - removed]

Page 34

<b>recommendations</b> 170:3	110:12 112:21 116:18 124:25	<b>rehabilitation</b> 136:1	213:20,25 214:16 214:20,21 215:10
<b>recommended</b> 129:25 130:1 233:15	128:11 129:7 138:1 144:19 162:6 171:24	<b>reinforce</b> 79:1 <b>reinforced</b> 61:5 <b>relate</b> 93:1 250:13	215:14,16 216:17 217:3,12 218:3,22 219:5 221:11
<b>recommending</b> 185:17	172:2 176:4 189:12 191:14 202:17 212:14	<b>related</b> 28:16 42:23 80:12 91:3 124:8 161:20	222:13 224:13,22 224:25 225:1 231:3,24 232:3
<b>reconcile</b> 129:22	213:22 224:3,6 232:18 247:15,19	181:25 209:15 216:24 217:7,8 218:1,9,12 231:4	236:7,20 237:8 249:14
<b>reconvene</b> 102:2 251:13 254:3	<b>referenced</b> 51:13 51:16 90:17 99:10 128:2 145:3 256:6	<b>relates</b> 183:21 <b>relationship</b> 58:24 69:22	<b>remember</b> 18:1 25:5 26:23 31:20 32:1 33:9 37:18
<b>record</b> 5:10 9:8,13 12:13 55:25 79:19 81:9 101:15 102:5 102:7,11 116:17 143:2 162:25 163:11 166:3 178:2,3,4,7,23,25 180:5,8,11 204:17 253:18,20,21,23 254:21 255:12	<b>references</b> 189:3 <b>referencing</b> 43:22 55:17 56:4 <b>referred</b> 13:15 14:11 97:20 125:11 126:8 204:20	<b>relationships</b> 109:7 120:21 144:10 <b>relayed</b> 93:3 <b>release</b> 111:19 115:8,16 117:3,8 205:3 208:12	37:23,24 38:9 89:1 98:17 150:3 184:2,4,9,11,13,15 184:17,19,22 185:2 187:13,15 187:15 192:25 194:10,12,25 196:13 210:21 211:13 226:10
<b>recorded</b> 180:21 183:21 246:18 255:8	<b>referring</b> 10:16 19:25 22:15 25:21 34:10 36:16,24 37:7 53:25 97:13 98:7,8 114:25 127:12 134:14,15 144:5 148:18 174:16 197:4 242:1	<b>released</b> 84:25 <b>relevant</b> 104:17 139:23 159:17 <b>relieved</b> 171:7 <b>remaining</b> 179:9 183:8	<b>remembering</b> 195:3 <b>remembers</b> 209:10 <b>remify</b> 234:13 <b>remind</b> 8:17 77:6 121:2 170:3
<b>recording</b> 181:6 181:18	<b>refers</b> 115:2 161:19	<b>remarkable</b> 247:2 <b>remediation</b> 4:16 38:24 43:15 48:4 48:5,7,10,19,24 49:1,6,8,10,13 53:12,16,17 86:13 86:17,22 87:3,5,11 87:13,17,21 88:8 88:10,23 90:6,14 99:3,4 113:2,7,9 114:6,10,18 211:21 213:6,16	<b>reminded</b> 170:4 <b>reminder</b> 4:7 173:10 <b>remote</b> 149:22,24 247:4 <b>remotely</b> 5:16 6:9 6:11 <b>remove</b> 45:4,5 46:18 47:13 94:12 96:3,14 <b>removed</b> 45:1 56:19,22 57:3,4
<b>records</b> 166:9,16 173:3	<b>reflect</b> 59:14 180:25 219:19 <b>refrain</b> 238:8 <b>refresh</b> 125:19 <b>refuses</b> 204:13 <b>regardless</b> 182:21 <b>regards</b> 15:14 <b>regular</b> 76:2,22 <b>regularly</b> 152:14 153:8		
<b>recurring</b> 230:14			
<b>red</b> 53:14			
<b>redness</b> 145:12			
<b>reduced</b> 176:17			
<b>refer</b> 15:16 26:19 43:4 97:24 98:4 149:19 219:20			
<b>reference</b> 35:4 37:4 41:5 43:12 48:3,6 49:24 51:1 51:24 52:5 57:9 57:11 71:17 83:8 84:2 90:19 97:18 97:25 100:13			

[removed - resource]

Page 35

91:8 119:6 140:4 146:4 172:20 196:15 214:16,21 224:13,22 228:2 <b>removing</b> 93:14 93:18 <b>renewal</b> 132:4 <b>renewals</b> 132:1 <b>renuca</b> 44:6 <b>repeat</b> 24:6 79:11 84:10 116:21 139:19 147:20 203:11 204:8,14 <b>rephrase</b> 8:6 76:20 80:24 176:2 <b>replace</b> 47:16 <b>replacement</b> 47:18 <b>replacing</b> 215:14 <b>replies</b> 140:19 142:4 <b>reply</b> 137:10 139:6 141:15 236:15 <b>report</b> 180:14 <b>reported</b> 249:20 250:1 <b>reporter</b> 3:8 4:2 5:18 6:4,5,18 12:9 55:24 56:1 101:18 103:16,19,22 116:23,25 204:19 219:21 220:14 <b>reporting</b> 6:8,13 12:10 167:25 233:9 234:1 <b>reports</b> 193:8 <b>represent</b> 5:21 6:23 147:14 <b>request</b> 3:12 4:4 8:12 12:2 13:18 13:21 14:18,21 15:6 20:13 25:24	26:4,15 27:2,4,13 27:22 28:1,17 29:2,10,12,18 30:7 31:23 32:6 33:20 50:8 54:9 59:1,5 60:20 61:8,11 64:6,8 70:1,8,18 81:23 82:5,6,10,11 93:17 102:21 104:7 105:10,17 105:24 108:15,19 109:11,12,18,24 110:9,18 133:7,12 133:14 139:16 140:6,9,13 147:5 154:7 156:16 157:5,9 159:3 162:12,14,18 163:17 166:10 169:13 192:4,5 204:11 205:22 229:2 235:11,15 238:7 243:25 253:8 254:15 <b>requested</b> 11:7 14:8 24:18 30:10 39:14 40:3 45:1 58:6,9,15 60:17 63:6 70:14 71:10 82:11 108:17 115:16 122:11 188:25 205:24 <b>requesting</b> 20:15 59:15 <b>requests</b> 4:23 22:11,16 24:21 34:7,14 41:17 71:15,19 72:20,23 73:9 74:1 78:2,10 79:14 81:11 120:1 120:11,14 158:17	168:9 <b>require</b> 241:24 <b>required</b> 9:10 57:17 75:12,17,18 75:22 80:18 123:16 128:24 129:9,12,14,23 131:5 132:15 133:2 180:5 197:9 197:20 209:3 210:2 234:1 235:24 244:6,9 258:13 <b>requirement</b> 39:19 134:5 198:18 202:13 250:18 <b>requirements</b> 49:6 75:24 76:1,6 77:2 78:5,12,17 79:6,13 81:13 100:11 133:20 134:6,13 134:20 164:20,21 165:3 202:6 <b>research</b> 12:25 13:14 <b>resend</b> 31:25 <b>reserved</b> 5:4 8:25 <b>reserving</b> 178:11 <b>residency</b> 16:21 17:1 50:19 67:21 68:1,12,14 69:17 75:13 88:3 131:12 133:20 134:13,16 147:18 148:22 149:2,4,10,14,18 150:14 161:10 164:20 227:12 249:19 <b>resident</b> 3:14,15 16:22 17:13 22:12	24:19,20 32:8 44:1,5,15,25 46:1 46:11,22,23,25 47:4,6,15,15,16,18 57:10,13,18 58:16 76:3 83:14 84:19 86:22 131:2,6 132:4,18 134:6 135:5 138:19 162:19 164:15 168:24 179:17 195:14,18 198:9 198:20 199:4,11 199:24 200:7,25 208:7 225:17 226:17 233:21,23 234:5,10 248:1,4 250:15 <b>resident's</b> 83:20 132:20 <b>residents</b> 17:18,23 18:1,5,11 20:3 24:10,16 50:11 58:7,10 59:3 60:21 62:1 63:7 71:14 83:21 89:13 98:21 119:17 120:8,10,22 141:13 158:25 168:7 182:2 199:3 215:19 221:25 232:8,22 233:14 233:18 234:23 235:6,13 <b>residual</b> 190:23 <b>resistance</b> 237:12 <b>resolved</b> 193:3 <b>resource</b> 26:23 71:10 138:13 243:16
---	--	--	---

<b>resources</b> 18:10 25:22 27:5,8 28:20 29:3 <b>respect</b> 7:3 8:20 14:18,25 16:19,21 17:1,17 37:15 38:15 50:18 57:14 99:9,11 121:7 172:5 205:6 218:5 221:14 232:21 236:8 <b>respectful</b> 236:12 <b>respective</b> 5:2 <b>respond</b> 12:11 170:20 220:17 <b>responded</b> 126:15 <b>response</b> 24:24 27:4 46:13 64:1 108:10,21,23 109:22,25 114:6,9 114:12,14,18,19 115:3 123:19 125:1,13 129:6 130:4 139:25 140:3 153:23 157:18 193:18 221:23 222:9 226:10 <b>responses</b> 3:12,13 102:20,21 153:11 183:25 <b>responsibilities</b> 12:24 13:19 49:16 85:20 <b>responsibility</b> 125:3,15 <b>responsible</b> 168:25 <b>rest</b> 151:18 219:22 <b>restoril</b> 37:11	<b>restrictions</b> 85:9 208:15 210:10 217:21 <b>restroom</b> 177:21 <b>result</b> 84:8 128:17 128:25 129:2 152:5 186:9 239:25 240:1,1 <b>resuming</b> 254:16 <b>retrograde</b> 37:13 38:1 84:11 <b>return</b> 4:13,15 29:8 38:22 39:1,4 40:10,14,15,17,21 40:23,24 41:4,8,11 41:18,20 42:4,6,11 42:17,23 43:9 84:25 85:4,9 113:8 157:6 177:24 195:6 196:4 201:23,24 202:7,10,15,21 203:13 205:5 206:1,2,3,8,11,21 207:13 208:13,14 210:9 217:21 227:5 236:9 237:9 256:13,17 <b>returned</b> 53:9 89:9 206:17 210:1 226:4 <b>returning</b> 39:20 41:15 224:1 <b>review</b> 9:15 10:24 32:15 48:16 50:11 50:17,21,23,25 55:6 85:22 97:22 98:15 100:6 103:2 133:20 134:6,13 134:16 153:1,2,7,8 156:22 157:25	161:7 163:5 166:9 166:11 178:17 179:5,8,21 181:24 182:22 190:18 208:23 212:10 225:16,18,20 226:2,16 227:2,4 232:8 235:9 248:7 248:13,15,24 251:4 256:7 <b>review</b> 181 4:9 <b>reviewed</b> 10:7,10 10:23 11:18 88:18 89:7 100:1 214:9 225:13 232:4 <b>reviewing</b> 55:16 196:1 232:21 <b>reviews</b> 97:25 98:2 98:4,9,10 179:17 <b>right</b> 6:15 7:8 8:25 10:24 18:8 21:21 27:1 29:1 38:19 47:1 70:15 102:9 111:1 113:11 134:21 135:12 136:6 140:23 141:1,17 142:12 147:4,6 150:7 155:4 163:1 164:5 171:4 175:11,16 177:17 189:8 200:17 203:18 206:2 214:10 222:13,15 234:8 238:20 243:8,17 246:4,19 252:14 252:21 <b>rigor</b> 78:16 <b>rigorous</b> 77:1,2 <b>risk</b> 47:15 69:6 70:22 194:6	<b>rm.pdf</b> 156:2 <b>road</b> 184:20 <b>role</b> 232:12,20 <b>room</b> 6:8 47:18 67:7 69:13 76:11 142:8 185:17 217:9 <b>roommate</b> 37:22 108:2 184:12,13 186:5 191:21 <b>rooms</b> 8:16 <b>rotate</b> 248:16 <b>rotating</b> 122:9 <b>rotation</b> 23:9 73:21 74:13 75:2 84:1 121:19 128:16 129:1,3,17 145:15 147:1,2 153:17 177:3,7,12 228:2 233:4 239:13 250:17 <b>rotations</b> 21:14 58:25 74:3,5,15,17 74:18,21,24 75:3,4 75:8,11,12,18,21 76:10,12,19,21 77:9,13,19 86:9 128:14,18 139:20 139:20 140:4,5,10 144:10 177:11 202:18 233:3 239:10 240:5 241:10,13 <b>round</b> 182:4 <b>rounds</b> 21:13 23:18 58:22 61:3 70:25 71:4 72:10 119:22 120:19 121:18 122:4,14 123:3,6,7,8,9 127:5 143:12,17
--	--	--	--

[rounds - see]

Page 37

143:22 144:8 <b>route</b> 28:20 <b>rpr</b> 1:11 255:23 <b>rudra</b> 44:6 107:21 <b>rules</b> 8:18 79:21 80:2,4 <b>run</b> 103:10 <b>rush</b> 172:15 <b>rutgers</b> 105:14,22	256:4,5 257:1,2,24 258:1,2,4,12 <b>salcedo's</b> 56:20 97:18 <b>samantha</b> 128:5 <b>santos</b> 104:13 <b>satisfy</b> 202:12 <b>save</b> 80:16 180:17 <b>saw</b> 40:1 150:4 184:23 190:12 205:15 <b>saying</b> 29:8 42:16 72:6 96:6 134:12 139:1 147:1 168:7 194:12 196:13 200:7,9 205:4 207:13 212:9 218:2 237:8 <b>says</b> 19:19 34:5 77:8 131:6 141:10 141:15 146:23 148:8 155:2,15,22 162:2 167:3 186:14 191:22 199:22 202:10,14 206:4,10 211:23 219:21,23 223:15 223:19,19 224:15 226:15,19 239:22 243:8 <b>scale</b> 98:12 182:8 231:22 <b>scenarios</b> 48:13 225:23 248:24 <b>schedule</b> 24:17 61:14 74:12 76:9 76:11 77:3 83:20 119:22 123:11 128:17,19 138:21 139:18 140:10 168:22 174:22	176:17 177:6 198:9,19 199:22 199:23 200:9 239:13 240:14 <b>scheduled</b> 83:9,13 181:1 225:3 227:1 <b>schedules</b> 74:19 <b>scheduling</b> 35:12 134:19 159:1 168:25 226:25 <b>scholarly</b> 16:4 <b>school</b> 16:7 104:1 105:15 109:9,17 109:18 225:24 250:4 <b>science</b> 16:9 <b>scientist</b> 12:22,25 <b>score</b> 86:5,6 98:11 133:2 182:7,14,17 182:23 183:2 231:21 <b>scores</b> 86:8 98:5 98:19 100:20 101:5,12 181:21 182:17 183:4,5,8 218:23 233:16 234:10 <b>scoring</b> 86:4 100:23 218:21 <b>scorings</b> 100:25 101:11 <b>scraped</b> 185:11 <b>scraping</b> 38:7 185:3 <b>scratch</b> 184:24 <b>screen</b> 20:24 21:17 44:11 151:4 159:16,20,23 207:8 <b>screenshot</b> 160:2	<b>scroll</b> 56:8 <b>scrolling</b> 19:14 <b>se</b> 86:25 93:11 <b>search</b> 27:7 28:1 28:10,15 29:9,15 30:17,23 173:2 <b>searched</b> 28:7 <b>seat</b> 87:7 <b>second</b> 9:1,4,6 19:18 25:14 34:5 34:25 52:25 115:1 122:23 128:7 135:24 179:7 186:13 192:6,23 193:2 212:18 216:15 <b>secondary</b> 43:24 84:16 209:14 221:8 <b>section</b> 33:14,16 33:18,19 86:3 150:23 160:22,24 161:2,8,16 219:2,2 221:10 <b>sections</b> 33:14 57:21 90:10 <b>secure</b> 111:14 205:3 <b>secured</b> 72:14,18 <b>see</b> 7:6 14:5 15:3 19:15,21 21:10,17 21:21,23 22:13 23:22 25:15 34:8 36:14 37:5 41:19 43:12,19 44:3 49:1 51:3 52:1 53:3 56:14 57:11 58:7 60:17 64:8 71:11,19 72:15,20 77:11 81:17 82:12 83:10 84:5,25
<b>s</b>			
<b>s</b> 5:13,25 256:4 257:1,3 258:1 <b>safe</b> 109:16 193:15 <b>safely</b> 227:21 244:25 245:10 <b>safety</b> 51:16 194:7 227:25,25 <b>sal</b> 5:23 <b>salary</b> 13:6 <b>salcedo</b> 1:2,8 3:4 5:11,12,23 6:14,16 6:22 7:15 9:22 10:3 11:11 12:9 12:16 18:13 20:17 21:16 35:20 56:3 57:2 63:2 66:9,15 66:24 68:5 70:13 73:24 76:19 81:7 81:10 85:13 94:3 94:24 96:10,12,13 101:18 102:19 116:22 122:10,19 152:18 157:6 159:7 163:3 174:10 176:4 179:16 182:21 204:13 206:23 207:4 209:10 211:24 212:12 218:18 221:16 223:14,22 241:7			

[see - sign]

Page 38

85:5,15 86:14 90:23 96:22 97:25 100:14 108:10,23 109:25 113:3,21 120:4 125:5,17 128:11 129:10 130:8 134:22 136:9 144:20 145:2 147:19 148:1,6 149:1,3,9 149:13,17,21,25 150:11,22 152:6 154:24 155:4,17 155:21 156:21 161:17 165:6 168:4 170:8 171:8 174:12,14 176:9 181:11 183:14,20 184:8 186:20 189:12 198:22,23 198:25 200:15 201:17 207:17,19 208:6 210:20 212:12 213:22 214:17 218:25 220:24 223:14 236:16 239:4 245:1 246:6,6 247:23 <b>seeing</b> 24:8 39:22 47:25 52:13,20 149:9 150:1 182:25 193:11 215:25 219:25,25 <b>seek</b> 12:4 14:7 179:11 240:5 253:14 <b>seeking</b> 8:9 41:6 42:4 62:8 74:14 74:16,21,25 77:13 77:24 78:17	<b>seen</b> 40:4 126:5,12 126:25 181:10 183:16 229:24 <b>select</b> 248:23 <b>self</b> 14:4 74:20 118:24 119:10 152:9,11 174:24 <b>semantic</b> 37:1 <b>send</b> 36:3 169:18 229:2 <b>sending</b> 29:18,25 168:6 <b>senior</b> 225:17 226:16 248:1,4 <b>sense</b> 49:15 61:2 74:7 110:15 118:16 190:22 222:10 247:13 <b>sent</b> 31:24 82:15 141:24 142:13 156:20,22 158:2 166:7 169:3 171:3 236:16 256:14 <b>sentence</b> 25:14 34:5 36:12 37:3 43:11,17,19 53:1 119:16 193:8 223:11 224:10 236:1 <b>sentences</b> 194:1 <b>separate</b> 8:16 20:12 47:9 49:13 65:22 110:20 200:20 215:15 216:18,21,24 217:5,14,22 230:16 <b>separately</b> 111:6 <b>september</b> 13:5 19:6 172:22 175:9	<b>sequence</b> 91:6 136:5 162:11 <b>series</b> 8:4 34:6,14 79:20 <b>serve</b> 12:25 <b>service</b> 38:22 39:1 39:20 45:2,4,6,20 45:22 46:18 47:13 50:4 93:15,19 94:13 96:3,14 109:13 119:6 133:24 138:16,24 172:20 180:22 228:12 248:5,5 <b>services</b> 138:20 146:5 <b>sesh</b> 89:11,11 <b>session</b> 16:25 88:5 88:5 89:11 126:2 249:14,16,17 <b>sessions</b> 106:8 107:2,7 147:13 <b>set</b> 21:14 23:9 46:24 88:25 89:2 101:10 131:8 228:22 <b>setback</b> 43:11,18 43:21 44:14 45:25 46:11 47:3,4,5 <b>setting</b> 8:16 72:11 <b>seven</b> 141:21 178:22 <b>shane</b> 248:18 250:24 <b>share</b> 166:24 243:22 244:21 <b>shared</b> 34:2 76:7 166:6 243:19 <b>sharing</b> 69:23,25 <b>sharon</b> 1:15 5:22 10:11 256:1	<b>she'll</b> 212:9 <b>sheet</b> 256:11 <b>shelby</b> 1:12 2:10 5:16 <b>sheri</b> 106:10 <b>sherry</b> 148:25 149:1,12 <b>shift</b> 44:18 74:8 90:23 91:7 127:11 127:17 146:2,3 <b>shifts</b> 51:20 <b>short</b> 17:22 82:17 177:21 <b>shorthand</b> 255:9 <b>shortly</b> 38:25 57:1 141:23 166:18 177:2 <b>shot</b> 145:20 <b>shots</b> 159:16,20,24 <b>show</b> 33:6 167:15 167:24 168:12 189:23 233:19 234:24 235:6,13 <b>showed</b> 76:5,9 <b>shower</b> 146:1 <b>showing</b> 78:22 181:21 <b>side</b> 37:12,15,17 38:1 42:1 84:4 160:11 165:19 181:23 184:20 185:1 186:12 188:14 190:23 209:22 <b>sidetracked</b> 157:16 <b>sign</b> 113:1 114:21 125:4 178:13 212:7 217:12 218:13 228:8 237:7 245:3
---	---	---	---



256:12 <b>signature</b> 19:1,2 135:9 155:23 229:22 237:7 255:21 <b>signed</b> 16:23 19:5 113:17 115:8 117:3 126:8 206:9 212:4 214:24 217:16 229:25 230:4,23 256:20 <b>signify</b> 182:6 <b>signing</b> 113:7,11 113:12 <b>sim</b> 22:7 141:9,12 <b>similar</b> 107:20,22 135:4 <b>simple</b> 68:11 <b>simply</b> 79:9 172:4 <b>sir</b> 64:11 <b>sit</b> 21:13 23:17 58:22 61:3 70:24 70:25 71:4 72:10 119:22 120:19 121:17 122:4,14 123:3,5,7,8,9,9 143:12,17,22 144:8 222:6 <b>site</b> 26:23 28:16 <b>sitting</b> 8:15 31:20 55:10 217:9 222:11 <b>situation</b> 92:9 238:14 243:17 <b>six</b> 76:23 <b>skills</b> 213:20 214:14 <b>skip</b> 193:1 <b>skipping</b> 159:6 163:1	<b>sleep</b> 39:11,13 45:11 77:9,14,19 84:9 91:24 92:17 92:18,19 93:5,8 96:16 146:1 152:12 174:25 176:18 202:23 203:14 210:14 211:11 <b>sleeping</b> 91:23 <b>slip</b> 118:24 119:10 <b>small</b> 177:20 <b>smooth</b> 127:3 <b>snapshot</b> 233:16 <b>snapshots</b> 233:15 <b>snowballed</b> 23:7 <b>snyder</b> 100:19 101:1,14 125:4 188:5 <b>snyder's</b> 101:7 129:8 188:4 <b>social</b> 143:7 161:3 161:9 227:11 <b>solutions</b> 5:17,19 155:10 256:23 <b>somebody</b> 27:10 <b>someone's</b> 155:23 <b>soon</b> 22:10 96:11 129:17 <b>sooner</b> 146:21 <b>sorry</b> 51:4 54:18 66:12 83:2 87:16 95:14 103:16,17 103:17 114:23 136:25 149:23 151:5 160:19,20 166:14 171:21 187:9 196:19 198:16 209:5 250:10 252:10	<b>sort</b> 17:6,8 65:4 123:16 140:11 145:19 155:25 164:14 185:12 226:11 <b>soto</b> 123:20,20 <b>sought</b> 13:24 109:10 111:14 199:6 <b>sound</b> 142:4 <b>sounds</b> 67:5 126:15 <b>source</b> 106:5,21 107:16 119:8 234:20 <b>sources</b> 221:8 <b>space</b> 23:2 58:23 61:18,22 62:3,19 62:24 64:18,24 65:11,17,24 66:6 66:13,16 67:2,12 67:22 68:2,13,18 68:25 69:5 72:10 109:6,16 119:20 120:19 121:13,24 122:11,14,20 144:8 <b>spaces</b> 21:15 <b>span</b> 111:21 124:23 <b>speak</b> 15:14 128:4 <b>speaking</b> 128:2 210:12 <b>speaks</b> 203:2 <b>specialize</b> 201:16 <b>specializes</b> 199:15 <b>specialty</b> 200:23 <b>specific</b> 14:12,12 15:6 26:10 42:15 55:3 59:6 71:15 72:20 73:8 74:1	74:15,17,24 79:14 81:11 85:9 92:8 99:16,20 100:11 110:4 145:25 165:9 176:1 206:15 210:9 <b>specifically</b> 40:4 52:6 62:23 97:17 176:23 235:11 248:23 <b>specification</b> 197:18 <b>specified</b> 208:1 <b>speculate</b> 68:6,7 189:6 <b>speculation</b> 34:21 50:14 68:3 73:23 75:15 79:17 80:6 83:16 114:16 187:7,12 213:8 223:6 244:2 245:20 <b>spell</b> 44:8 <b>spend</b> 9:9 <b>spending</b> 245:25 <b>spinner</b> 21:1 <b>spoke</b> 106:8 136:23 186:14 <b>spoken</b> 158:17 <b>sports</b> 124:8 <b>stabilize</b> 228:6 <b>stable</b> 85:8 210:8 <b>stage</b> 219:21 220:14 <b>stakes</b> 233:16 <b>standard</b> 86:10 129:15,19,22 <b>standardized</b> 89:12 <b>standards</b> 131:13 234:16,18
---	--	--	--

[staring - suffering]

Page 40

<b>staring</b> 193:14 <b>start</b> 13:4,23 45:22 101:16 127:11 143:3 146:18,23 146:24 147:1,2 149:18 173:25 174:12 175:10 177:10 178:8 179:2 182:5 191:4 234:7 236:17,17 251:12 <b>started</b> 13:22 20:14 22:10 23:6 25:14 46:9 50:3 67:7 120:9 122:5 122:6,9 127:17 148:11,22 149:5 150:14 177:3,12 180:21 251:24 252:20,22 <b>starting</b> 16:23,24 16:25 32:8 75:2 111:1 136:19 142:10 145:7 147:6 169:6,9 174:4,17 175:14 176:6,9 177:1,5 <b>starts</b> 43:14 138:5 142:23 172:9 234:6 <b>state</b> 5:21 19:24 22:9 25:14 26:2 26:12,22 27:5 32:8 48:25 52:6 60:16 71:8 80:19 104:5 105:7 106:15 107:5 108:3 109:14 117:15 125:13 128:8 130:4 131:10 136:12	143:21 145:1 154:24 155:7,10 157:8 178:10 191:2 <b>stated</b> 9:12 42:18 51:25 81:25 125:16 126:13 175:25 192:15 238:13 <b>statement</b> 19:21 25:18 44:3 49:2 52:25 53:3 63:3,5 63:9 74:4,11 77:22 94:6,7 109:23 111:4 113:21 120:4 125:2,5,17 129:10 130:8,13 174:14 186:20 188:8 195:18 200:13 205:23 214:17 223:14 224:18,19 240:3 245:1 <b>statements</b> 58:15 108:7,12,16 192:22 <b>states</b> 1:1 119:2 138:19 221:6 230:24 244:20 <b>stating</b> 185:19 191:3 192:16,18 <b>stay</b> 9:18 171:18 <b>step</b> 37:21 184:7 211:22 <b>stephanie</b> 246:22 <b>steps</b> 157:24 208:6 <b>stigma</b> 25:9 <b>stigmatized</b> 69:24 <b>stipulated</b> 5:1 <b>stood</b> 127:3	<b>stop</b> 116:14 <b>store</b> 37:20 184:16 184:18 192:21 <b>stotler</b> 1:12 2:10 5:17 <b>stoudt</b> 1:11 5:18 255:23 <b>straightforward</b> 216:23 <b>street</b> 1:16 <b>stressful</b> 73:20 74:3 75:4 202:18 239:10,13 240:5 241:9,12 <b>stretching</b> 221:3 <b>strictly</b> 209:14 <b>strike</b> 118:3 129:4 208:18 224:1 <b>stringent</b> 76:2 <b>strong</b> 90:5 171:18 <b>structure</b> 14:2 <b>structured</b> 74:6 <b>struggle</b> 247:20 250:7 <b>struggled</b> 151:9 <b>struggles</b> 88:2 90:8 <b>struggling</b> 39:10 92:14 93:18 <b>stubs</b> 180:19 <b>stuck</b> 68:21 <b>student</b> 118:16,17 197:15 247:17 <b>students</b> 105:21 109:20 <b>stuff</b> 38:24 <b>subcategory</b> 200:23 <b>subject</b> 13:1 236:22	<b>subjective</b> 189:19 <b>submission</b> 33:4 101:13 225:21 <b>submit</b> 14:17 32:6 32:13 34:15,18,24 35:8 36:1 39:19 114:5,9,14,19 153:10 180:18 207:24 221:19 225:7 226:22 237:6 244:9 246:16 <b>submitted</b> 32:17 32:24 33:11,23 34:6,13 35:18 36:23 40:21,24 54:22 97:2 100:22 111:10 114:12 129:16 153:23 205:8,10 206:10 254:9 <b>submitting</b> 114:17 235:23 <b>subscribed</b> 258:14 <b>subsequent</b> 135:5 163:5 183:24 200:15 233:3 <b>subsequently</b> 58:16 172:20 189:1 196:22 <b>substance</b> 185:23 <b>substituted</b> 140:5 <b>successfully</b> 48:25 49:9,18,21 <b>sudden</b> 145:10 <b>suffer</b> 15:1 21:7 45:25 <b>suffered</b> 43:18 <b>suffering</b> 45:10 46:5 105:25
--	---	--	---

[sufficient - take]

Page 41

<b>sufficient</b> 152:12 199:15,18 214:13 224:22 <b>suggest</b> 58:18 <b>suggested</b> 23:1,4 24:7 25:25 26:5 28:4 58:16,22 60:4,23 61:7 254:4 <b>suggesting</b> 237:15 <b>suggestion</b> 23:6,17 23:21 58:11 60:24 86:2 112:3 129:15 129:19,23 143:17 <b>suggestions</b> 58:11 60:7,8,14 61:6,12 64:12 71:15 86:9 110:25 137:24 143:11,16,21 144:3,4 169:10 <b>suggests</b> 140:19 <b>suicidal</b> 150:21 151:6,16 <b>suit</b> 164:3,7 <b>suite</b> 1:16 2:4 <b>sullivan</b> 4:15 40:2 40:20 41:3 85:8 148:19 207:16 208:12,17,19 209:9,20 210:4,23 <b>sullivan's</b> 211:8 <b>sum</b> 182:19 <b>summarize</b> 192:14 <b>summarized</b> 197:10 213:2 <b>supervising</b> 199:12 <b>supervision</b> 221:4 221:5 255:10 <b>supervisor</b> 14:10 33:2 35:11 54:8	158:23 168:1 201:10 222:1,12 <b>supplemental</b> 8:24 179:3 <b>support</b> 99:22 100:5,7 123:25 141:10 143:6 170:23 171:7 189:12,15,16,17 218:16 227:11 234:15 236:4,10 238:19 <b>supposed</b> 37:21 50:5 87:25 88:25 219:2 226:11 249:15 <b>sure</b> 9:12 29:7 33:13 47:10 67:4 81:21 94:23 108:14 122:16 127:1 134:12 148:17 163:8,11 166:19 175:25 180:7 209:6,22 228:5 248:3 <b>surprise</b> 48:19 <b>swallow</b> 2:11 6:1 10:10 20:2,4,6,9 23:25 25:23 33:2 33:18 34:17,19,25 35:7,9,21,22 36:18 36:20,25 38:16,20 39:3,9,15 40:3 41:13,22,23 42:16 43:5,14 48:8,10 51:6,10 53:1,6,23 54:4 56:11,19,22 76:7 77:18 81:16 81:19 82:10,16 86:13 88:24 89:25 96:21 97:2,5	99:21 100:3,11 106:8 109:23 110:8,17,24 111:4 111:20 112:13,15 113:25 115:3,7,9 115:17 116:1,8 117:4,17,24 118:2 118:4,20,22 119:9 125:13,22 126:11 126:15 128:8,9 154:8 157:21 158:1,8,15,23 163:19 164:4 165:14 166:21,23 167:2,6,7,23,25 169:2,17 170:2,10 170:14 171:1 173:11 174:4,20 175:2,18,23 176:5 176:8 177:14 183:13 186:14,15 188:21,25 190:6,7 190:14 191:6 192:7 193:2,5,8,15 194:5,21 195:7,8 195:12 196:1,9 197:8 199:10 201:2 202:9 205:8 205:10,23 206:15 208:1,10 211:21 212:4 213:17 215:5 216:6,17 221:23 222:6 223:7 226:4,6,8 227:4 228:17,20 228:25 229:5 230:3,25 235:23 236:3,9 238:15 243:21 244:4,5 245:11 248:21	<b>swallow's</b> 77:4,25 89:6 97:4 217:9 222:24 245:17 <b>swapped</b> 139:23 <b>swear</b> 6:4 <b>sweating</b> 145:12 <b>switch</b> 46:3 <b>sworn</b> 6:17 255:6 258:14 <b>symptom</b> 84:17 <b>symptomatology</b> 46:15 84:11 115:10 <b>symptomologist</b> 84:10 <b>symptoms</b> 47:14 88:14 118:13 145:11 147:18 190:25 193:3,16 194:9 195:1 241:8 <b>system</b> 69:15 197:21 <b>systematic</b> 86:24 <b>systems</b> 161:8  <b>t</b> <b>t</b> 257:3,3 <b>tainted</b> 99:15 <b>taints</b> 219:6 <b>take</b> 7:1 8:11,17 10:1 21:16 37:21 37:22 44:25 46:11 46:25 47:6,11 50:18 61:18,23 62:3,19,22,25 64:18,24 65:11,24 66:6,13,16 67:2,12 67:22 68:2,13,18 68:25 69:14 101:19 120:24 121:12,13,14,24 122:12,20,23
---	--	---	---

[take - thought]

Page 42

124:12,13 126:24 145:20 159:16 166:1,15,17 177:20,24 185:20 211:22 214:4 216:13 222:10 228:5 229:4 230:12 234:10 240:15 <b>taken</b> 1:9 5:15 101:11 102:8 178:5 219:11,13 219:18 220:11 221:18 222:7 255:4 <b>takes</b> 47:4 173:22 <b>talk</b> 39:17 65:20 88:1 117:3 136:13 136:15 141:25 153:18 158:12,20 168:8 172:13,18 210:16 <b>talked</b> 72:9 117:6 143:13 173:17 174:13 175:15 176:10 211:10 <b>talking</b> 35:3 51:5 67:24 70:3,5 88:1 90:7 98:5 142:21 144:6 167:8,9,14 187:10 239:23 <b>tardy</b> 124:20 <b>task</b> 243:21 244:8 <b>teaching</b> 44:22 247:14 248:5 <b>team</b> 13:25 14:13 17:9 44:22 68:21 68:22 69:6,10,12 69:13 130:19 131:19 225:16 243:23 247:14	<b>team's</b> 226:16 <b>tears</b> 171:22 <b>technical</b> 30:12 98:17 <b>teenager</b> 151:14 <b>telephone</b> 35:2 119:14 242:24 243:2,4,5 244:10 <b>tell</b> 21:4 27:10 29:14 30:22 32:23 37:14 52:21 71:22 91:17 96:8 115:14 125:9 137:13 145:9 154:20 192:24 200:5 216:7 228:25 255:6 <b>telling</b> 42:5 193:5 195:8 200:4,11 206:14 224:7,20 <b>tells</b> 217:12 229:1 <b>temazepam</b> 209:24,25 <b>tempa</b> 209:23 <b>temporarily</b> 84:5 <b>ten</b> 66:22 <b>terminate</b> 225:1 <b>terminated</b> 56:25 149:6,16 159:14 <b>termination</b> 50:9 51:2,9,14,17,21,23 51:25 52:5,10 56:20 100:22 101:5 104:8 230:8 <b>terminology</b> 188:22 <b>terms</b> 30:17,23 131:7 <b>test</b> 109:5 185:20 193:3,4 225:25	<b>testified</b> 6:17 11:17 55:14 58:5 65:1,5 110:7 126:20 129:18 130:10 159:7 187:12 230:15 248:20 <b>testify</b> 9:24 20:18 <b>testifying</b> 238:8 <b>testimony</b> 7:24 12:4 29:16,21 40:18 55:22 56:4 58:13 61:10 63:24 67:11 76:15 80:6 93:24 112:6 116:11,13,19 121:10 143:19 153:5 162:16 163:3 167:9 180:8 198:14 218:6 237:4 255:4,8,12 256:9 258:8 <b>tests</b> 251:7 <b>text</b> 4:6 86:3 98:6 98:21 172:10,21 172:24 186:15 191:16,17,19,24 192:4 208:23 <b>texted</b> 96:11 <b>thank</b> 6:18 12:6 21:3,24 96:19 102:12 103:20,22 142:15 157:13 160:21 179:14 209:25 236:3 238:19 253:1 <b>thanked</b> 171:3 <b>thankful</b> 142:25 <b>thanking</b> 24:19 170:21 236:9	<b>thanks</b> 136:12 141:15 <b>therapist</b> 25:24 26:12 27:25 28:2 28:4 29:11 30:6 40:9 106:11,12 107:4 161:25 205:4 243:6 <b>therapy</b> 88:5 148:21 149:8,10 152:2 161:24 <b>thereof</b> 255:15 <b>things</b> 17:7,15 21:12 48:22 55:1 55:23 57:15,24 61:2 63:6 72:8 83:6 84:14 124:10 152:14 165:22 168:22 177:15 216:3,4 218:13 222:18 225:2 226:12 237:15,17 237:18 240:18 241:24 251:8 <b>think</b> 45:14 46:18 59:25 60:9,24 62:10 67:4 69:24 122:13 143:11 144:3 156:7,19 175:21,24 189:18 195:1 197:3 200:3 209:12 211:3 243:24 244:11 251:16 <b>thinking</b> 90:11 189:6 <b>third</b> 36:11 119:16 193:14 204:9 <b>thorough</b> 97:11 <b>thought</b> 40:22 60:22 110:20
---	---	---	--

115:17 127:16 130:10 159:16 198:24 199:9,13 207:12 221:21 <b>thread</b> 4:6 142:22 172:10 <b>three</b> 20:2 21:5 22:1,5 48:14,14 58:7 119:16 156:7 156:11,25 161:19 183:4,5 184:7 194:1 205:14 213:3,24 218:18 218:25 219:9,11 220:17 221:15,18 222:7 227:14 244:17,17 245:1 <b>thursday</b> 140:22 <b>tie</b> 25:12 <b>time</b> 5:4,14 8:5,10 9:6,9,19 14:4,4 16:24 24:20 25:6 30:14 40:3 43:7 45:8,21,24 46:10 46:14,16,22,25 47:5,5,22,24 50:10 50:16 53:19,19,20 59:25 66:21 67:24 67:25 68:12 69:8 72:6 77:9,14,15 79:23 81:24 83:21 83:23,24 84:1,22 84:22 93:17 94:1 101:4,19 102:6,10 106:13 108:15 109:5,8 111:6,7,18 112:25 119:22 123:11 124:1,3,6 124:21,23 125:8 126:25 127:4 129:25 132:18	136:5,13 141:25 145:2,17,23 146:3 146:7 148:10,21 150:13 152:24 156:13 157:21 164:14 165:1 170:22 172:19,19 174:7,24 178:6,15 178:19 179:9,11 180:15,18,20,21 180:22,24 181:17 181:18 182:18 185:4,22 186:1 187:10 190:12 202:23 203:14 204:10,11 205:17 209:3 210:3 211:22 213:15 215:11 216:25 217:10,13,16,17 217:24 218:13,14 220:16 221:24 222:22 228:5 232:15 233:4,14 233:20 234:24 235:13 237:17,25 242:4 245:25 247:1,3,12,13,13 247:14 249:8,12 251:8,11,18 253:14,20,22 254:1,8,8,19 255:5 256:19 <b>timeframe</b> 130:1 256:8 <b>timeline</b> 11:19,21 104:9 <b>timelines</b> 10:7,16 10:20 11:3,11 <b>timely</b> 120:3,7,15 121:23 122:3,8,19	123:2,5 126:5,12 129:16 <b>times</b> 47:9 63:21 68:9 131:22 229:6 248:4 <b>timing</b> 238:17 <b>timothy</b> 40:2 41:3 85:7 148:19 207:16 208:12,17 208:19 209:8,20 210:4,23 211:7 <b>titled</b> 54:1 102:20 161:16 181:23 <b>today</b> 5:13 6:1 7:1 9:11,17,24 10:2 12:4 20:18 31:21 55:10 72:9 136:13 178:18,22 185:6 192:11 218:6 223:12 232:15 254:20 <b>today's</b> 10:4 18:14 <b>told</b> 26:8 36:13 39:9 85:13 87:24 104:12 105:12,19 106:1 107:1,11,18 107:20,23,25 114:20 115:9,12 118:22 125:13 130:18,19 165:14 193:9 198:21,25 215:7 222:2 223:12 244:7 <b>tomorrow</b> 142:4 172:14,16 186:16 208:11 <b>tonight</b> 179:1 <b>top</b> 15:17 142:23 150:6,6 151:5 155:2 211:4,24 220:24	<b>touch</b> 27:8 172:14 <b>tours</b> 17:7 <b>track</b> 132:18 233:14 234:23 235:6,13 <b>traditional</b> 165:20 <b>training</b> 16:2,6 113:13,15 128:23 132:15,25 135:5 135:24 180:16 197:15 214:17,22 224:14,23 232:9 233:19 234:7 235:6 <b>trait</b> 236:12 <b>transcribed</b> 119:14 255:10 <b>transcript</b> 256:6 256:18,20 258:5,8 <b>transcription</b> 255:11 <b>transient</b> 209:21 <b>transition</b> 127:4 147:18 173:17 174:13,16,17,21 175:15,19,23 176:10,19 177:15 <b>transitioned</b> 106:16 <b>transitions</b> 148:15 <b>treat</b> 103:14 199:12 <b>treated</b> 108:21 109:2 148:18 <b>treating</b> 43:3 56:11 72:14 106:3 106:17 107:4 115:21 195:23 207:21 <b>treatment</b> 3:18,19 3:23 43:4 73:15
--	--	---	---

[treatment - vague]

Page 44

106:7 107:2,7 109:16 147:12 148:5,6,12,15 150:10 151:23 152:4 160:7 164:1 199:7 210:22,24 211:4,8 241:25 <b>trend</b> 181:20 233:18 234:10 <b>trending</b> 181:16 233:2 <b>trial</b> 5:4 80:10,16 178:12 <b>trialed</b> 250:5 <b>trials</b> 13:2 <b>tried</b> 69:20 76:17 156:23 <b>triggers</b> 73:2 <b>trim</b> 184:24 <b>triquetra</b> 1:15 <b>triquetralaw.com</b> 1:17 256:2 <b>true</b> 19:8,12 54:24 55:5 58:9 63:3,5 92:6,21 94:6,9 95:18 148:10 151:19 219:9 249:20 255:12 258:8 <b>truth</b> 103:3 255:6 255:7,7 <b>truthfully</b> 8:19 <b>try</b> 24:2 30:4 39:13 168:23 211:11 240:21 <b>trying</b> 26:19 30:16 32:10 36:6 62:7 62:25 63:2 67:6 90:4 220:2 241:21 <b>turn</b> 21:19 46:4 142:3 156:1	239:15 <b>turning</b> 34:4 45:14 46:7 52:24 103:7 119:15 123:14 190:9 <b>twelve</b> 134:5 <b>twice</b> 225:8 <b>two</b> 20:11,11,16 27:24 47:9 50:5 52:14 72:20 73:5 73:5,5,6,8,16,25 79:14 81:11,23 88:11,18 90:2,10 95:15,16 101:14 119:7 140:5 143:3 177:8,13 193:11 194:1 197:23,25 198:8 212:22 213:3 216:18,20 216:21,24 217:4 217:14,22 218:9 218:13,25 219:8 219:10 221:15,18 222:7 225:1,11,12 225:13 227:2,10 230:2,5 231:2 233:17 237:1 241:24 246:12 252:2,20,22 253:13 <b>txt</b> 5:6 <b>type</b> 40:14 78:15 128:25 129:3 180:13,16 202:5 246:17 <b>typed</b> 165:18 202:3,4 <b>types</b> 76:10,12,18 76:21 216:3 <b>typical</b> 83:13	<b>u</b> <b>u</b> 44:9,9 <b>uh</b> 195:11 <b>ultimately</b> 50:6 61:13 64:13 73:4 73:16 134:1 168:24 226:3 <b>unable</b> 194:18 <b>unaccommodated</b> 45:18 <b>unavailable</b> 141:9 <b>unclear</b> 55:20 182:16 194:14 <b>uncustomary</b> 228:24 <b>undergrad</b> 109:9 109:11,14 <b>underlying</b> 209:16 239:14,18 240:2 241:23 242:3 <b>underneath</b> 237:7 <b>understand</b> 8:5,8 9:14 11:25 12:5 12:13 27:17 30:16 62:17 68:8 78:11 80:25 86:16 96:4 123:4 133:23 163:7 167:5 175:24 180:7 197:9 214:19 215:18 232:24 233:11 245:6 253:17 <b>understanding</b> 30:15 104:4,9 135:17,21,23 157:22 232:6,11 232:20 233:5 236:4,10 238:20 <b>understood</b> 73:19 93:12 167:23	175:25 223:20 232:2,15 233:1,7 233:13 <b>unfolded</b> 11:14 104:5 <b>unfortunately</b> 90:14 122:24 233:3 <b>united</b> 1:1 <b>university</b> 109:15 <b>unpaid</b> 16:3 <b>upcoming</b> 196:12 <b>update</b> 129:24 <b>updated</b> 96:7 110:15 <b>updating</b> 112:19 <b>uploaded</b> 152:25 153:3 <b>use</b> 26:21 36:21 52:10 57:24 59:7 60:11 62:24 82:21 82:25 83:4 84:3 91:20,20 92:1,15 92:25 93:1 95:11 97:4,9 138:19 154:18 173:14,19 188:22 197:20 <b>useful</b> 144:12 <b>uses</b> 165:21 <b>usual</b> 8:16 <b>usually</b> 69:12 198:22 229:1 <b>utilize</b> 71:3
		<b>v</b>	
		<b>v</b> 256:4 257:1 258:1 <b>va</b> 144:19,22 145:6 145:15,24 146:8 147:7 177:2,3 <b>vague</b> 63:8 69:11 70:12 193:23	



[vaguely - willer]

Page 45

<b>vaguely</b> 194:25 196:5 <b>valley</b> 2:4 <b>values</b> 98:11 <b>various</b> 13:2 70:23 <b>vary</b> 133:24 <b>verbal</b> 14:22 <b>verify</b> 55:7 95:17 103:2 256:9 <b>veritext</b> 5:17,18 256:14,23 <b>veritext.com</b> 256:15 <b>versions</b> 101:14 <b>versus</b> 5:12 <b>veteran's</b> 144:24 <b>vice</b> 105:14 <b>video</b> 12:1 23:24 <b>videograper</b> 2:10 <b>videographer</b> 1:12 5:9,16 6:3 102:4,9 178:1,6 251:19,20 251:24 252:3,7,9 252:15,19,22 253:2,19,22 254:19 <b>videotape</b> 5:10 <b>videotaped</b> 1:8 <b>view</b> 21:17,20,23 189:19 <b>viewed</b> 189:20 <b>vignette</b> 48:13 89:14 <b>vignettes</b> 89:5 225:25 <b>vinegar</b> 238:24 <b>violate</b> 116:7 117:2 118:2,5 <b>violated</b> 115:3,7 117:18 128:8	<b>violation</b> 118:11 118:15 <b>vision</b> 37:25,25 84:13 193:11 <b>visit</b> 124:1 148:20 162:8,11 164:1 <b>visits</b> 48:19 <b>visual</b> 84:14 <b>visually</b> 124:20 184:25 <b>vo</b> 103:11,12,14 104:19 <b>voice</b> 215:1,4 <b>volunteered</b> 195:19 <b>vs</b> 1:4 <b>vulnerable</b> 25:9	253:10 <b>wanted</b> 15:2 21:9 21:10 39:16 45:4 46:17 47:12 59:3 93:6 96:14 113:14 137:7 139:21 163:11 168:8 185:19 226:10 230:17 <b>wanting</b> 238:22 <b>wants</b> 220:8 <b>ward</b> 126:21,24 127:15 145:6,17 145:24 146:4,8 177:11 228:12 247:12,13,13 <b>wards</b> 44:20,24 127:16 144:19,22 169:6,10 174:1,4 174:12,17,21,21 175:10,14,15,19 175:19,24 176:6,9 176:15,19,22,23 177:2,2,3,5,8 225:4,9 <b>warning</b> 4:18 99:7 99:7 229:16,20 231:1 <b>wash</b> 16:8 <b>washington</b> 16:8 <b>waste</b> 220:15 <b>wasting</b> 79:23 <b>watch</b> 48:20 87:1 <b>watched</b> 89:13 <b>way</b> 12:3 23:24 61:1 62:13,14 84:8 86:4 98:23 132:17 177:6 189:25 195:21 209:15 211:5 215:14 217:13	220:15 221:16 229:3 234:2 245:14 <b>ways</b> 68:9 92:13 94:23 98:23 241:25 <b>we've</b> 91:1 173:17 175:14 208:9 251:23 254:2 <b>web</b> 180:13 <b>wednesday</b> 1:9 5:13 140:22 <b>week</b> 14:3 74:10 83:10 111:12,22 140:20 141:17,19 142:1,16 225:8 <b>weekend</b> 74:8 77:10,15 <b>weekends</b> 202:23 203:14 <b>weekly</b> 228:15,23 229:7 <b>weeks</b> 50:6 177:9 <b>weird</b> 136:14 249:13 <b>welcome</b> 253:2 <b>went</b> 14:9 28:20 37:19 47:19 72:13 88:12 90:11 104:1 109:19 145:22 184:18 187:14 210:25 211:3,4 218:22 238:12 242:13 252:23 <b>when's</b> 73:21 <b>white</b> 2:3 <b>whiteandwillia...</b> 2:5 <b>willard</b> 128:5 <b>willer</b> 107:19
	<b>w</b>		
	<b>wait</b> 47:17,20 <b>waited</b> 47:19 <b>waiting</b> 45:16 82:17 216:2 <b>waive</b> 6:12 <b>walk</b> 145:16 183:19 <b>walking</b> 236:13 <b>want</b> 8:11,17,22 9:12 10:14 16:18 19:15,17 24:2 26:10 45:5 52:14 56:16 58:3 62:12 68:7 76:24,25 79:25 93:10 95:22 101:17,20 103:10 122:16 128:6 130:2 159:5 163:7 177:24 178:10,23 178:24 180:7 181:8 183:11,19 220:11,19 235:18 240:4 245:14		

[williams - zoom]

Page 46

<b>williams</b> 2:3 <b>willing</b> 178:16 <b>wise</b> 73:3 74:7,7 <b>witness</b> 3:1 6:4 66:4 80:22 103:18 103:21 117:1 179:7 187:8 209:12 219:18 220:19 255:13 256:8,10,12,19 <b>witnesspage</b> 3:3 <b>woke</b> 37:19 <b>word</b> 12:10 36:21 57:2 59:9 60:11 66:2 72:17 82:21 82:25 83:4 91:21 92:2,8,10,12,15,25 93:1 94:1 95:5,11 129:20 173:14,19 <b>wording</b> 57:5 73:6 134:22 165:16 238:13 <b>words</b> 12:11 52:11 52:14 62:24 64:22 73:7,18 84:3 97:21 193:4 203:16 220:3,4 <b>wore</b> 185:1 <b>work</b> 3:17 4:13,15 14:2 21:15 40:16 40:17,21,24 41:4,8 41:11,15,18,20 42:4,6,11,23 45:17 48:21 58:23 68:15 68:15,16,22 69:8 69:16 72:10 85:4 85:9 88:15 90:11 113:8 120:20,22 128:24 131:18 132:17 133:21,21 136:20 143:7	144:8 145:7 146:16 176:17 180:6,9 185:10 195:6 201:23,24 202:7,11,15,18,21 202:22 205:3,5,24 206:1,2,3,4,7,8,11 206:21,23 207:13 208:13,14 210:9 217:21 225:23 226:7,9 234:2 238:22 246:17,22 <b>workbook</b> 89:4 <b>worked</b> 40:5 43:7 86:4 127:23 128:15 246:16,17 248:20 <b>working</b> 14:3 21:22 36:13 41:25 43:5 44:15 45:13 49:15 74:9 83:22 83:23,25 91:14 92:17 95:25 120:9 122:6 168:5 216:2 242:15 243:16 245:13 <b>works</b> 46:21 102:2 177:6 <b>workshops</b> 17:9 <b>workweek</b> 128:10 <b>workweeks</b> 128:13 <b>world</b> 171:14 <b>worried</b> 136:19 250:14 <b>worry</b> 221:24 <b>worsening</b> 43:23 46:7 47:13 93:4,7 96:15,15 118:23 119:10	<b>worsens</b> 46:16 239:16 <b>worst</b> 100:23 <b>write</b> 76:18 <b>writes</b> 189:10 <b>written</b> 35:21 72:14,18 88:19 115:8 165:18 167:19 187:1 <b>wrong</b> 51:5 151:6 184:20 <b>wrote</b> 73:17 119:13 164:3,13 165:10,15 189:7 196:14 203:20 205:20 206:9	<b>yeses</b> 22:23 <b>yesterday</b> 9:11 254:10,10 <b>younger</b> 151:9,11 151:13 250:3 <b>yr</b> 3:15
			<b>z</b>
			<b>zero</b> 182:9 218:23 231:22 <b>zoom</b> 1:9 5:16
		<b>x</b>	
		<b>xanax</b> 185:22 186:2	
		<b>y</b>	
		<b>yeah</b> 35:19 38:6 44:12 63:5 92:15 128:23 151:17 166:22 181:15 248:9 252:3,7 253:19 <b>year</b> 18:1 50:11,17 50:19,21 57:1 68:1 75:13,19 123:17 135:24,25 139:19 153:15 161:10 177:8 179:17,21 182:2 215:20 216:9 <b>years</b> 17:24 135:6 249:22 <b>yellow</b> 21:22 <b>yep</b> 17:10 137:9 139:8 148:1 151:12	

Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS  
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at [www.veritext.com](http://www.veritext.com).

# EXHIBIT 4



**Nancy Conrad**

3701 Corporate Parkway, Suite 300 | Center Valley, PA 18034-8233  
Direct 610.782.4909 | Fax 610.782.4939  
conradn@whiteandwilliams.com | whiteandwilliams.com

January 5, 2022

**By E-Mail**

Sharon R. López, Esq.  
Andrea C. Farney, Esq.  
Triquetra Law  
35 East Orange Street, Ste. 301  
Lancaster, PA 17602  
[Lopez@TriquetraLaw.com](mailto:Lopez@TriquetraLaw.com)  
[Farney@TriquetraLaw.com](mailto:Farney@TriquetraLaw.com)

**RE: Pablo A. Salcedo v. The Milton S. Hershey Medical Center**  
**USDC for the Middle District of Pennsylvania; No. 1:19-cv-02201**

Dear Attorney López and Attorney Farney,

As we previously agreed to and discussed, a list of additional documents that were identified during Plaintiff's deposition is provided below, and we request that they be produced prior to or at the continuation of Plaintiff's deposition currently scheduled for January 7, 2022 at 9:30 AM.

- Timeline reviewed by Plaintiff in preparation for his deposition;
- Email Plaintiff sent to Human Resources at Booz Allen Hamilton requesting accommodations;
- Statements made to the EEOC and Plaintiff's previous counsel;
- Email from Plaintiff's personal email account to HMC's Human Resources department requesting an accommodation form;
- Email from HMC's Human Resources department attaching an accommodation form (with attachment); and,
- Original copy of the August 28, 2017 letter from Dr. Munoz.

Thank you for your continued cooperation in this matter.



January 5, 2022

Page 2

Very truly yours,

WHITE AND WILLIAMS LLP



Nancy Conrad

Joseph J. Lee

NC:jl

# EXHIBIT 5



Sharon R. López  
Lopez@TriquetraLaw.com

Andrea C. Farney  
Farney@TriquetraLaw.com

The Offices at Marion Court  
35 East Orange Street, Ste. 301  
Lancaster, PA 17602  
P: (717) 299-6300  
F: (717) 299-6338  
www.TriquetraLaw.com

SENT VIA EMAIL ONLY TO: [ConradN@WhiteandWilliams.com](mailto:ConradN@WhiteandWilliams.com);  
[Leejo@whiteandwilliams.com](mailto:Leejo@whiteandwilliams.com);  
[Salgadot@whiteandwilliams.com](mailto:Salgadot@whiteandwilliams.com)

January 6, 2022

Nancy Conrad, Esq.  
Joseph Lee, Esq  
Tanya Salgado, Esq.  
**WHITE AND WILLIAMS, LLP**  
3701 Corporate Parkway, Suite 300  
Center Valley, PA 18034-8233

Re: **FOLLOW UP RE DEPOSITION DISCOVERY  
REQUESTS  
SALCEDO V THE MILTON S. HERSHEY  
MEDICAL CENTER  
PA. M.D. 19-CV-2201 (HON. YVETTE  
KANE)**

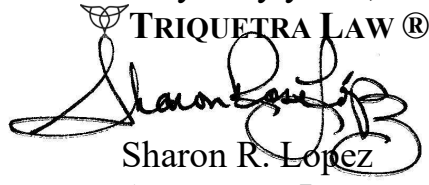
Dear Counsel,

We received your request for additional documents yesterday (4:48 p.m). During our previous meet and confer held on December 22, 2021, we agreed that you would send me a written request for these documents. While I am willing to respond to your requests as expeditiously as possible, I request you provide me with a reasonable time to respond to these types of requests in the future. A week following the written request seems reasonable. Also, the Rules of Civil Procedure allow 30 days to respond to a written request for discovery, which also allows the respondent an opportunity to object. Pending your formal request for documents on the timeline, I provide the following responses:

- The timeline that was identified in the deposition is attorney client communication. See the privilege log for the same attached.
- The email from Plaintiff to Booz Allen Hamilton requesting accommodations. See attached.



- Statement made to EEOC and Plaintiff's previous counsel. Plaintiff objects to this as being privileged and without waiving said privilege he asserts that he does not have any copies of such communication in his possession. See the privilege log for the same attached.
- Email to the HMC HR Department requesting accommodations. See attached.
- Original copy of Dr. Muñoz' letter from August 28, 2017. Plaintiff reviewed his files and he does not have this letter.

Very truly yours,  
  
Sharon R. Lopez  
Attorney at Law

cc. Pablo Salcedo

Attached: Plaintiff's Privilege Log  
Salcedo.001486-Salcedo.001494

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

Pablo A. Salcedo,	:	Civil Action No. 19-cv-2201
Plaintiff,	:	
v.	:	Before the Honorable
	:	Yvette Kane
The Milton S. Hershey Medical	:	
Center,	:	Jury Trial Demanded
Defendant.	:	

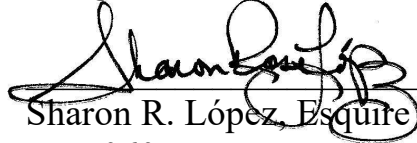
## PLAINTIFF'S PRIVILEGE LOG

COMES NOW the Plaintiff, who responds to Defendant's First Set of Interrogatories and Request for documents with the following privilege log:

<b>Item #</b>	<b>Author</b>	<b>Recipient</b>	<b>Document Type</b>	<b>Subject Matter</b>	<b>Privilege</b>
Plaintiff's Deposition 12/1/2021	Plaintiff	Plaintiff's Counsel	Timeline of events	Facts describing events leading up to, during, and following Plaintiff's Employment with HMC	Attorney-Client Communication
Plaintiff's Deposition 12/1/2021	Plaintiff's Previous Counsel	Plaintiff	Verbal communication	EEOC Contact	Attorney-Client Communication

Respectfully submitted on January 6, 2022.

**TRIQUETRA LAW**

A handwritten signature in black ink, appearing to read "Sharon R. Lopez", is written over a horizontal line.

Sharon R. López, Esquire  
PA 70605

The Office at Marion Court  
35 East Orange Street  
Lancaster, PA 17602  
(717) 299-6300 (tel.)  
(717) 299-6338 (fax.)  
[Lopez@TriquetraLaw.com](mailto:Lopez@TriquetraLaw.com)



---

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

---

Pablo A. Salcedo,  Plaintiff,  v.  The Milton S. Hershey Medical Center,  Defendant.	: : : : : : : : : : :	Civil Action No. 19-cv-2201   Before the Honorable Yvette Kane   Jury Trial Demanded
---	---	---

---

**CERTIFICATE OF SERVICE**

---

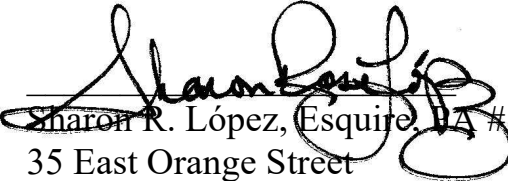
I, Sharon R. López, hereby certify that a true and correct copy of the foregoing privilege log has been served upon the following counsel via electronic mail to the following counsel of record:

Nancy Conrad  
**WHITE AND WILLIAMS LLP**  
3701 Corporate Parkway, Suite 300  
Center Valley, PA 18034-8233  
[conradn@whiteandwilliams.com](mailto:conradn@whiteandwilliams.com)  
(610) 782-4909 (Tel.)  
(610) 782-4930 (Fax.)

Tanya A. Salgado  
**WHITE AND WILLIAMS LLP**  
1600 Market Street  
One Liberty Place, Suite 1800  
Philadelphia, PA 19103  
[Salgadot@whiteandwilliams.com](mailto:Salgadot@whiteandwilliams.com)  
Phone: (215) 864-6368

This the 6<sup>th</sup> day of January, 2022.

**TRIQUETRA LAW**

  
Sharon R. López, Esquire, PA # 70605  
35 East Orange Street  
Lancaster, PA 17602  
(717) 299-6300 (tel.)  
(717) 299-6338 (fax.)  
[Lopez@TriquetraLaw.com](mailto:Lopez@TriquetraLaw.com)

# EXHIBIT 6



**Nancy Conrad**

3701 Corporate Parkway, Suite 300 | Center Valley, PA 18034-8233  
Direct 610.782.4909 | Fax 610.782.4939  
conradn@whiteandwilliams.com | whiteandwilliams.com

January 24, 2022

**By E-Mail**

Sharon R. López, Esq.  
Andrea C. Farney, Esq.  
Triquetra Law  
35 East Orange Street, Ste. 301  
Lancaster, PA 17602  
[Lopez@TriquetraLaw.com](mailto:Lopez@TriquetraLaw.com)  
[Farney@TriquetraLaw.com](mailto:Farney@TriquetraLaw.com)

**RE: Pablo A. Salcedo v. The Milton S. Hershey Medical Center**  
**USDC for the Middle District of Pennsylvania; No. 1:19-cv-02201**

Dear Attorney López and Attorney Farney,

This acknowledges receipt of your letter dated January 6, 2022. We remind you of your obligation under the Rules to supplement discovery when a “party learns that in some material respect the disclosure or response is incomplete.” See Fed. R. Civ. P. 26(e)(1). Such obligation does not require a written request and is continuing in nature.

In Defendant’s First Request for Production of Documents to Plaintiff, Request for Document No. 6 requested “[a]ny and all personal records including email communications, calendars, diaries, notes, tapes, journals, correspondence, social media posts, or other type of written or recorded document which relate to the allegations made in the Complaint.” In Plaintiff’s deposition on December 1, 2021, Plaintiff testified that in preparation for his deposition, he “reviewed timelines [he] created” referring to his “recollection of the events.” See Pl. Dep., 12/1/2021, at 10:6-7, 16-18.

During the deposition, Counsel asserted the attorney-client privilege with respect to the timelines, and following the deposition, served a privilege log. However, Plaintiff did not testify that the timelines were prepared in anticipation of an attorney-client communication. Further, Plaintiff’s testimony did not reflect that the timelines were prepared for Counsel for the purpose of requesting or receiving legal advice. Nevertheless, even if the timelines were sent to Counsel for the purpose of requesting or receiving legal advice, the factual material is obtainable and can be extracted from privileged documents. *United States ex rel. Lord v. NAPA Mgmt. Servs. Corp.*, No. 3:13-2940, 2019 U.S. Dist. LEXIS 194063, at \*42 (M.D. Pa. Nov. 7, 2019) (citing *Andritz*

January 24, 2022

Page 2

*Sprout-Bauer v. Beazer E.*, 174 F.R.D. 609, 632 (M.D. Pa. 1997) (“The privilege attaches to the communication itself, not to the facts communicated”)).

The referenced timelines have yet to be produced in discovery, and Plaintiff has a duty to supplement his response to Defendant’s First Request for Production. For all of the foregoing reasons, Defendant requests Plaintiff to produce the timelines of Plaintiff’s recollection of events that he created by **January 31, 2022**. In the event there are other outstanding data or documents responsive to Defendant’s request, please supplement your responses on or before **February 2, 2022**. If we do not receive the timelines, we reserve our right to seek Court intervention.

Thank you for your attention to this matter.

Very truly yours,

WHITE AND WILLIAMS LLP



Nancy Conrad

Joseph J. Lee

NC:jl

# EXHIBIT 7



Sharon R. López  
Lopez@TriquetraLaw.com

Andrea C. Farney  
Farney@TriquetraLaw.com

The Offices at Marion Court  
35 East Orange Street, Ste. 301  
Lancaster, PA 17602  
P: (717) 299-6300  
F: (717) 299-6338  
www.TriquetraLaw.com

SENT VIA EMAIL ONLY TO:

[ConradN@WhiteandWilliams.com](mailto:ConradN@WhiteandWilliams.com);  
[Leejo@whiteandwilliams.com](mailto:Leejo@whiteandwilliams.com);  
[Salgadot@whiteandwilliams.com](mailto:Salgadot@whiteandwilliams.com)

February 18, 2022

Nancy Conrad, Esq.  
Joseph Lee, Esq.  
Tanya Salgado, Esq.  
**WHITE AND WILLIAMS, LLP**  
3701 Corporate Parkway, Suite 300  
Center Valley, PA 18034-8233

Re: **RESPONSE TO JAN. 24<sup>TH</sup> LETTER SEEKING  
ATTORNEY-CLIENT COMMUNICATION AND  
ATTORNEY WORK PRODUCT  
SALCEDO V THE MILTON S. HERSHEY  
MEDICAL CENTER  
PA. M.D. 19-CV-2201 (HON. YVETTE  
KANE)**

Dear Counsel,

In response to your January 24<sup>th</sup> letter, we understand you are requesting disclosure of the timeline that Dr. Salcedo referenced at his deposition as a document he reviewed in preparation for the deposition. We are not going to provide this document to you as it is attorney-client privileged and subject to the attorney work product doctrine.

The protected document was prepared by Dr. Salcedo and Attorney Farney, during this litigation. The protected timeline is clearly marked on the footer as "Attorney/Client PRIVILEGED WORKPRODUCT." The timeline was initially created by Attorney Farney around December 2020 and it was last updated on 10/26/2021 - as such it was clearly created during litigation and for purposes of trial.

The protected timeline references selected documents, by bates number, which have already been disclosed by both parties. The referenced documents are not attached to the timeline. The protected timeline contains both communications between Dr. Salcedo and his counsel as well as



attorney mental impressions, assumptions, discovery strategies and questions. The protected timeline is 53 pages long as it has been a tool counsel and client have used throughout the litigation. The document has not been disclosed to third parties. There were other documents, which could be also be described as timelines and journal entries, which have been disclosed and are not subject to attorney-client privilege or attorney work product privilege. These unprotected timelines and journal entries have already been disclosed. See Salcedo.000001-10.

Federal Rule of Civil Procedure 26 (b) permits discovery of nonprivileged material that is relevant to a claim or defense. FED. R. CIV. P. 26 (b)(1). “Ordinarily, a party may not discover documents...that are prepared in anticipation of litigation or for trial by or for another party or its representative...” FED. R. CIV. P. 26(b)(3)(A). Privileged material may not be discovered unless the party seeking disclosure shows substantial need for the materials to prepare its case and cannot, without undue hardship, obtain the substantial equivalent by other means. FED. R. CIV. P. 26(b)(3)(A)(ii). Even if a party meets this burden, the Court “must protect against disclosure of mental impressions, conclusions, opinions, or legal theories of a party’s attorney or other representative concerning the litigation.” FED. R. CIV. P. 26(b)(3)(B).

Federal Rule of Evidence 612 requires a party to meet three conditions before disclosure or documents used to refresh recollection prior to the deposition can be obtained. “1) the witness must use the writing to refresh his memory; 2) the witness must use the writing for the purpose of testifying; and 3) the court must determine that production is necessary in the interests of justice.” FED. R. EVID. 612. The Third Circuit Court of Appeals analyzed the applicability of this rule to attorney work product in *Sporck v. Peil*, 759 F.2d 312, 317-318 (3d Cir.1985). In *Sporck*, following exchange of document discovery, defense counsel compiled some of the documents and used them to prepare the deponent. At the opening of a pretrial deposition, opposing counsel asked the deponent if he examined any documents in preparation for the deposition. After the deponent said he had reviewed documents to prepare for the deposition, but would not disclose which ones, opposing counsel filed a motion to compel the disclosure. The motion was based on FED. R. EVID. 612. The District Court granted the Motion and *Sporck* appealed. The issue on appeal was whether the grouping of the documents represented the mental impression of *Sporck*’s attorney, because the “identification of the documents as a group will reveal defense counsel’s selection process, and thus his mental impressions, petitioner argues that identification of the documents as a group must be prevented to protect defense counsel’s work product.” *Sporck v. Peil*, 759 F.2d 312, 315 (3d Cir.1985). The Third Circuit agreed that such identification of the compiled documents would be work product.

The protected timeline here used by Dr. Salcedo in preparation for his deposition is similar to the situation in *Sporck*. Attorney Farney created the timeline with Dr. Salcedo and referenced specific documents in discovery, which she specifically identified, while writing out the inferences drawn from the documents. By selecting certain documents over others, Attorney Farney’s mental impressions are clearly at the core of this document. Her views of what information is important in the documents is also a memorialization of her mental impressions of the case documents and how they can be used in the litigation. The document is pure work product with Dr. Salcedo for this litigation.



The *Sporck* court found that Rule 612 applied to depositions but distinguished its application by finding Rule 612 is a “rule of evidence, and not a rule of discovery.” *Sporck v. Peil*, 759 F.2d 312, 317 (3d Cir.1985). Additionally, Rule 612 requires a party meet three conditions before it may obtain documents used by a witness prior to testifying: (1) the witness must use the writing to refresh his memory; (2) the witness must use the writing for the purpose of testifying; and (3) the court must determine that production is necessary in the interests of justice. FED. R. EVID. 612. Here, Plaintiff did not use the timeline to refresh his memory during the deposition and he did not use the timeline for purpose of testifying. We also do not see your compelling need for the document as all the documents referenced in this protected document have already been disclosed in this litigation.

You reference *United States ex rel. Lord v. NAPA Mgmt. Servs. Corp.* in your January 24, 2022 letter. We do not find *Lord* assists you in arguing for disclosure of the timeline. In *Lord*, the court protected a majority of the privilege-asserted documents. Also, the documents were created by in-house attorneys, involved in the defendant’s regular course of business. Here, the context of the document creation is in the context of the attorney-client relationship and not an in-house attorney scenario.

The document was created by Plaintiff’s retained counsel for purposes of putting together her mental impressions of the case and Dr. Salcedo assisted counsel with producing it. There is no question the document was created during litigation and was a compilation of mental impressions of documents and communications in the case with Attorney Farney and Dr. Salcedo.

Very truly yours,



Sharon L. López  
Attorney at Law

cc. Dr. Pablo Salcedo